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S. 1325

IN THE SENATE OF THE UNITED STATES

MARCH 8, 1955

MR. CLEMENTS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the last sentence of section 313 (g) of the Agricultural
4 Adjustment Act of 1938, as amended, is amended by adding
5 in the last sentence thereof immediately following the lan-
6 guage “if proof of the disposition of any amount of tobacco
7 is not furnished as required by the Secretary” the language
8 “or if any producer on the farm files, or aids or acquiesces
9 in the filing of, any false report with respect to the acreage
10 of tobacco grown on the farm required by regulations issued
11 pursuant to this Act”.

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

S. 1326

IN THE SENATE OF THE UNITED STATES

MARCH 8, 1955

Mr. CLEMENTS introduced the following bill ; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 314 (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is hereby amended, effective July 1,
5 1955, with respect to other kinds of tobacco, by striking out
6 the figure "50" therein and inserting in lieu thereof the
7 figure "75".

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

S. 1327

IN THE SENATE OF THE UNITED STATES

MARCH 8, 1955

Mr. CLEMENTS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 (g) of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding immediately after
5 the first sentence thereof a new sentence to read as follows:
6 “Any acreage of tobacco harvested in excess of the farm
7 acreage allotment shall not be taken into account in estab-
8 lishing State and farm acreage allotments.”.

I

84TH CONGRESS
1st Session

S. 1327

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

84TH CONGRESS
1ST SESSION

H. R. 4951

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1955

Mr. ABBITT introduced the following bill: which was referred to the Committee on Agriculture

A BILL

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That notwithstanding any other provision of law—

4 (1) the Secretary of Agriculture shall, within ten
5 days after enactment of this Act, redetermine the na-
6 tional marketing quota for burley tobacco for the 1955-
7 1956 marketing year on the basis of the latest available
8 statistics of the Federal Government, apportion such
9 quota among States, convert the State quotas to State
10 acreage allotments, and allot the same among farms

1 pursuant to and in accordance with applicable provisions
2 of law: *Provided*, That burley tobacco marketing quotas
3 and acreage allotments heretofore established for the
4 1955-1956 marketing year shall not be effective, but
5 the preliminary burley tobacco acreage allotment for
6 any farm determined under section 725.616 of the burley
7 and flue-cured tobacco marketing quota regulations,
8 1955-1956 marketing year, issued by the Secretary of
9 Agriculture (19 Federal Register 3549), shall not be
10 reduced by more than 25 per centum (except for re-
11 ductions under section 725.619 of said regulations) ;

12 (2) burley tobacco farm acreage allotments of
13 seven-tenths of an acre or less heretofore determined
14 for the 1955-1956 marketing year when redetermined
15 pursuant to paragraph (1) of this Act may be reduced
16 but not more than one-tenth acre: *Provided, however*,
17 That no allotment of five-tenths of an acre or less shall
18 be reduced under this section ;

19 (3) Within twenty days after the issuance of the
20 proclamation of the national marketing quota for burley
21 tobacco for the 1955-1956 marketing year as redeter-
22 mined pursuant to paragraph (1) of this Act, the Sec-
23 retary of Agriculture shall conduct a referendum of
24 farmers who were engaged in the production of the 1954
25 crop of burley tobacco to determine whether such

1 farmers are in favor of or opposed to such redetermined
2 quota. If more than one-third of the farmers voting in
3 the referendum oppose such redetermined quota, the
4 Secretary of Agriculture shall, within thirty days after
5 the date of the referendum, proclaim the result of the
6 referendum and (1) no quota for burley tobacco for
7 the 1955-1956 marketing year shall be effective there-
8 after, and (2) no price support shall be made available
9 on the 1955 crop of burley tobacco; and

10 (4) Public Law 528, Eighty-second Congress (66
11 Stat. 597), is hereby amended, effective for the 1956
12 and subsequent crops of burley tobacco, to read as fol-
13 lows: "The farm acreage allotment for burley tobacco
14 for any year shall not be less than the smallest of (1)
15 the allotment established for the farm for the imme-
16 diately preceding year, (2) five-tenths of an acre, or
17 (3) 10 per centum of the cropland: *Provided, however,*
18 That no allotment of seven-tenths of an acre or less shall
19 be reduced more than one-tenth of an acre in any one
20 year. The additional acreage required under this Act
21 shall be in addition to the State acreage allotments and
22 the production on such acreage shall be in addition to
23 the national marketing quota."

84TH CONGRESS
1ST SESSION

H. R. 4951

A BILL

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

By Mr. ABVITT

MARCH 15, 1955

Referred to the Committee on Agriculture

84TH CONGRESS
1ST SESSION

S. 1457

IN THE SENATE OF THE UNITED STATES

MARCH 15 (legislative day, MARCH 10), 1955

MR. CLEMENTS (for himself, Mr. SCOTT, and Mr. SCHOEPP) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That, notwithstanding any other provision of law—

4 (1) the Secretary of Agriculture shall, within ten
5 days after enactment of this Act, redetermine the na-
6 tional marketing quota for burley tobacco for the 1955-
7 1956 marketing year on the basis of the latest available
8 statistics of the Federal Government, apportion such
9 quota among States, convert the State quotas to State
10 acreage allotments, and allot the same among farms

1 pursuant to and in accordance with applicable provisions
2 of law: *Provided*, That burley tobacco marketing quotas
3 and acreage allotments heretofore established for the
4 1955-1956 marketing year shall not be effective, but
5 the preliminary burley tobacco acreage allotment for any
6 farm determined under section 725.616 of the burley
7 and flue-cured tobacco marketing quota regulations,
8 1955-1956 marketing year, issued by the Secretary of
9 Agriculture (19 Federal Register 3549), shall not be
10 reduced by more than 25 per centum (except for reduc-
11 tions under section 725.619 of said regulations) ;

12 (2) burley tobacco farm acreage allotments of
13 seven-tenths of an acre or less heretofore determined for
14 the 1955-1956 marketing year when redetermined pur-
15 suant to paragraph (1) of this Act may be reduced
16 but not more than one-tenth acre: *Provided, however*,
17 That no allotment of five-tenths of an acre or less shall
18 be reduced under this section ;

19 (3) within twenty days after the issuance of the
20 proclamation of the national marketing quota for burley
21 tobacco for the 1955-1956 marketing year as redeter-
22 mined pursuant to paragraph (1) of this Act, the Sec-
23 retary of Agriculture shall conduct a referendum of
24 farmers who were engaged in the production of the 1954

1 crop of burley tobacco to determine whether such farmers
2 are in favor of or opposed to such redetermined quota.

3 If more than one-third of the farmers voting in the
4 referendum oppose such redetermined quota, the Sec-
5 retary of Agriculture shall, within thirty days after the
6 date of the referendum, proclaim the result of the refer-
7 endum and (1) no quota for burley tobacco for the 1955-
8 1956 marketing year shall be effective thereafter, and
9 (2) no price support shall be made available on the
10 1955 crop of burley tobacco; and

11 (4) Public Law 528, Eighty-second Congress (66
12 Stat. 597), is hereby amended, effective for the 1956
13 and subsequent crops of burley tobacco, to read as
14 follows: "The farm acreage allotment for burley tobacco
15 for any year shall not be less than the smallest of (1)
16 the allotment established for the farm for the immediately
17 preceding year, (2) five-tenths of an acre, or (3) 10
18 per centum of the cropland: *Provided, however,* That no
19 allotment of seven-tenths of an acre or less shall be
20 reduced more than one-tenth of an acre in any one year.
21 The additional acreage required under this Act shall be
22 in addition to the State acreage allotments and the
23 production on such acreage shall be in addition to the
24 national marketing quota."

A BILL

To redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

By Mr. CLEMENTS, Mr. SCOTT, and Mr.
SCHOERREL

MARCH 15 (legislative day, MARCH 10), 1955
Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 17, 1955
March 16, 1955
84th-1st, No. 47

CONTENTS

A.C.P.....2	Flood control.....26	Rice.....12,42
Acreage allotments1,11,12,28	Food.....3	Roads.....21,32
Appropriations.....19	Foreign aid.....35	Rubber.....15,37
Banking and currency....17	Forestry.....18,21	Selective service.....22
C.C.C.....3	Health.....16	Soil conservation.....2
Cotton.....11	Lands, public.....21	Subsidies.....6
Crop insurance.....3	Legislative program..11,19	Surplus commodities....35
Dairy research.....4	Livestock.....2	Surplus property.....13,19
Drought relief.....30	Loans, farm.....5,24,38	Taxation.....14,23
Economic report.....40	Marketing.....27	Textiles.....43
Education.....13,19,22	Nominations.....7,11	Tobacco.....1,27,33
Electrification....5,10,34	Personnel.....11,22,41	Trade agreements.....43
Extension work.....29	Poultry.....2	Treaties.....9
Farm family.....36	Price supports.....20,39	Veterinarians.....22
Farm income.....8	R.E.A.....5	Virgin Islands.....2
Farm machinery.....23	Recess.....11	Water utilization.....10
Farm program.....39	Reclamation.....18,31,34	Weather.....25
Feed.....2,30	Research.....4	Wheat.....2,28,30

HIGHLIGHTS: House Rules Committee cleared bill on donation of surplus property for education, etc. and Rep. Lane spoke in favor of this bill. House committee reported bills to reapportion rice allotments. Senate committee ordered reported bills to restore import control authority in Virgin Islands, permit ACP payments on Federal noncropland etc.

SENATE

1. TOBACCO. The Agriculture and Forestry Committee reported without amendment S. 1325, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, with regard to making false reports (S. Rept. 107); S. 1436, to preserve the tobacco acreage history of farms which voluntarily withdraw from the production of tobacco, and to provide that the benefits of future increases in tobacco acreage allotments shall first be extended to farms on which there have been decreases in such allotments (S. Rept. 109); and S. 1457, to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year (S. Rept. 111); and with amendments S. 1326, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, regarding the increasing of penalty rates (S. Rept. 108); and S. 1327, to provide that in setting future tobacco allotments no credit will be given for any acreage grown in excess of the allotment (S. Rept. 110) (p. 2523).
2. VIRGIN ISLANDS; SOIL CONSERVATION; WHEAT. The Agriculture and Forestry Committee ordered reported without amendment S. 1166, to restore authority on imports of livestock and poultry into the Virgin Islands; and S. 1167, to permit ACP payments on Federal noncropland. The committee also ordered reported (pending comments from farm organizations or others) S. 46, to amend the Agricultural Adjustment Act of 1938 so as to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed on the farm. (p. D206.)

3. CCC; CROP INSURANCE. The "Daily Digest" states that the chairman of the Agriculture and Forestry Committee "was authorized to appoint subcommittees, as follows: (1) Subcommittee to study and hold hearings on S. 23, 138, 493, 546, and 624, bills to relieve innocent purchasers of CCC's fungible goods from liability; (2) subcommittee to study and hold hearings on S. 661, to permit CCC to process food commodities for donation under certain acts; and (3) subcommittee to study and hold hearings on S. 1165, to amend the Federal Crop Insurance Act by including in the premiums administrative costs of the program" (p. D206).
4. DAIRY RESEARCH. Sen. Wiley inserted excerpts from a number of communications endorsing his bill, S. 788, to establish a dairy research center at Madison, Wis. (pp. 2530-1).
5. REA. Sen. Neuberger criticized the Hoover Commission report on lending agencies and its recommendations concerning REA, stated that "it would put our farmers again at the mercy of the banks and utilities which left them without lights prior to the Roosevelt administration," and inserted former Sen. Holman's statement opposing the "so-called power partnership program" (pp. 2561-2).
6. SUBSIDIES. Sen. Murray inserted a constituent's letter protesting "\$8 million of postal subsidies to Life magazine, which has repeatedly attacked the farmers" (p. 2531).
7. NOMINATIONS. Confirmed nomination of John Marshall Harlan to be an Associate Justice of the U. S. Supreme Court, and passed over nomination of Joseph Campbell to be Comptroller General at the request of Sen. Johnson, Tex. (pp. 2535-43, 2545-54, 2557-60).
8. FARM INCOME. Sen. Hickenlooper inserted and commended R. K. Bliss'. (extension service, Iowa State College) recent radio address, "1954--A Fairly Prosperous 'Depression' Year," analyzing the "high level of agricultural income of 1954" and showing the reasons for it (pp. 2562-3).
9. TREATIES. Received from the U. S. Flag Committee, Long Island, N. Y., a petition urging enactment of the proposed Bricker amendment to limit the President's treaty making power (p. 2522).
10. WATER UTILIZATION; ELECTRIFICATION. Sen. Humphrey inserted a Clay County Commissioners' resolution requesting Congress to withdraw all restrictions on the completion of the Garrison Dam and Reservoir project, N. Dak. (pp. 2522-3).
11. RECESSED until Fri., Mar. 18. Legislative program, for Fri., as announced by Majority Leader Johnson: Bills to increase 1955 national cotton acreage allotments by approximately 258,000 acres, ^{and} to increase Federal employees' pay; and the nomination of Joseph Campbell to be Comptroller General. The Majority Leader also announced that the Senate will take a recess from Thursday afternoon, Apr. 7 to Mon., Apr. 11 for Easter (pp. 2560-1).

HOUSE

12. RICE ALLOTMENTS. The Agriculture Committee reported without amendment H. R. 2839, to provide for reapportionment of rice acreage allotments voluntarily surrendered to the county committee (H. Rept. 222), and H. R. 4356, to divide

PENALTIES FOR FALSE TOBACCO ACREAGE REPORTS

MARCH 16 (legislative day, MARCH 10), 1955.—Ordered to be printed

Mr. CLEMENTS, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany S. 1325]

The Committee on Agriculture and Forestry, to whom was referred the bill, S. 1325, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, having considered the same, report thereon with a recommendation that it do pass without amendment.

Tobacco supplies are now reaching a critical situation. In the case of burley we now have 1,863 million pounds, a 3½-year supply, whereas a 2.7-year supply is considered adequate. Because of this situation a subcommittee of your committee was appointed to study the special problems of tobacco prices, production controls, and related matters. The subcommittee met jointly with a similar subcommittee of the Committee on Agriculture of the House of Representatives and heard extensive testimony from the Department of Agriculture and other persons interested in the matters before the subcommittee.

This bill is one of a series of bills favorably reported by the subcommittee, each being designed to strengthen a particular aspect of our tobacco marketing quota program in order to improve the program's effectiveness. The others are S. 1326, S. 1327, S. 1436, and S. 1457. It was reported unanimously by the subcommittee and has the approval of the Department and the tobacco industry.

This bill approaches the problem by providing for reducing the tobacco acreage allotment of any farmer who files a false report with respect to the tobacco acreage on his farm. Under it a farmer who contributed to breaking down the program by growing tobacco on unreported fields would have his next quota reduced by the percentage which his hidden production was of his quota. Your committee believes that this additional deterrent will help to discourage overplanting and make the program more effective.

[Report No. 107]

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported without amendment

INCREASE IN TOBACCO MARKETING PENALTY

MARCH 16 (legislative day, MARCH 10), 1955.—Ordered to be printed

Mr. CLEMENTS, from the Committee on Agriculture and Forestry, submitted the following

R E P O R T

[To accompany S. 1326]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1326) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, having considered the same, report thereon with a recommendation that it do pass with an amendment.

Tobacco supplies are now reaching a critical situation. In the case of burley we now have 1,863 million pounds, a 3½-year supply, whereas a 2.7-year supply is considered adequate. Because of this situation a subcommittee of your committee was appointed to study the special problems of tobacco prices, production controls, and related matters. The subcommittee met jointly with a similar subcommittee of the Committee on Agriculture of the House of Representatives and heard extensive testimony from the Department of Agriculture and other persons interested in the matters before the subcommittee.

This bill is one of a series of bills favorably reported by the subcommittee, each being designed to strengthen a particular aspect of our tobacco marketing quota program in order to improve the program's effectiveness. The others are S. 1325, S. 1327, S. 1436, and S. 1457. It was reported unanimously by the subcommittee and has the approval of the Department and the tobacco industry.

This bill approaches the problem by increasing the marketing penalty for tobacco from 50 percent of the average market price for the preceding marketing year to 75 percent of such average market price. This penalty was increased last year to 50 percent from 40 percent, but that increase has proved inadequate. Your committee believes the increase provided by this bill to be necessary to obtain compliance.

The committee amendment simply corrects a typographical error in the effective date provision. The bill would be effective with re-

spect to flue-cured tobacco on July 1, 1955, and with respect to other kinds of tobacco on October 1, 1955. These dates correspond to the beginning of the marketing year for each kind of tobacco.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

SEC. 314. (a) The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of [50] 75 per centum of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year. Such penalty shall be paid by the person who acquired such tobacco from the producer but an amount equivalent to the penalty may be deducted by the buyer from the price paid to the producer in case such tobacco is marketed by sale; or, if the tobacco is marketed by the producer through a warehouseman or other agent, such penalty shall be paid by such warehouseman or agent who may deduct an amount equivalent to the penalty from the price paid to the producer: *Provided*, That in case any tobacco is marketed directly to any person outside the United States the penalty shall be paid and remitted by the producer. If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in excess of the farm-acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. Tobacco carried over by the producer thereof from one marketing year to another may be marketed without payment of the penalty imposed by this section if the total amount of tobacco available for marketing from the farm in the marketing year from which the tobacco is carried over did not exceed the farm marketing quota established for the farm for such marketing year (or which would have been established if marketing quotas had been in effect for such marketing year), or if the tobacco so carried over does not exceed the normal production of that number of acres by which the harvested acreage of tobacco in the calendar year in which the marketing year begins is less than the farm-acreage allotment. Tobacco produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though it is marketed prior to the date on which such marketing year begins.

Calendar No. 108

84TH CONGRESS
1ST SESSION

S. 1326

[Report No. 108]

IN THE SENATE OF THE UNITED STATES

MARCH 8, 1955

Mr. CLEMENTS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported by Mr. CLEMENTS, with an amendment

[Insert the part printed in italic]

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 314 (a) of the Agricultural Adjustment Act
4 of 1938, as amended, is hereby amended, effective July 1,
5 1955, *with respect to flue-cured tobacco and October 1,*
6 1955, with respect to other kinds of tobacco, by striking
7 out the figure "50" therein and inserting in lieu thereof
8 the figure "75".

[Report No. 108]

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported with an amendment

84TH CONGRESS
1ST SESSION

S. 1327

[Report No. 110]

IN THE SENATE OF THE UNITED STATES

MARCH 8, 1955

Mr. CLEMENTS introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported by Mr. CLEMENTS, with an amendment

[Insert the part printed in italic]

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 313 (g) of the Agricultural Adjustment Act of
4 1938, as amended, is amended by adding immediately after
5 the first sentence thereof a new sentence to read as follows:
6 “Any acreage of tobacco harvested in excess of the farm
7 acreage allotment *for the 1955 or any subsequent crop*
8 shall not be taken into account in establishing State and
9 farm acreage allotments.”.

A BILL

To amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

By Mr. CLEMENTS

MARCH 8, 1955

Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported with an amendment

BURLEY ACREAGE ALLOTMENTS

MARCH 16 (legislative day, MARCH 10), 1955.—Ordered to be printed

Mr. CLEMENTS, from the Committee on Agriculture and Forestry, submitted the following

R E P O R T

[To accompany S. 1457]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1457) to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

Burley tobacco supplies are now reaching critical proportions. We now have 1,863 million pounds, a 3½-year supply, whereas a 2.7-year supply is considered adequate. Because of this situation and other tobacco problems a subcommittee of your committee was appointed to study the special problems of tobacco prices, production controls, and related matters. The subcommittee met jointly with a similar subcommittee of the Committee on Agriculture of the House of Representatives and heard extensive testimony from the Department of Agriculture and other persons interested in the matters before the subcommittee.

This bill is one of a series of bills favorably reported by the subcommittee, each being designed to strengthen a particular aspect of our tobacco marketing quota program in order to improve the program's effectiveness. The others are S. 1325, S. 1326, S. 1327, and S. 1436. It was reported unanimously by the subcommittee and has the approval of the Department and the tobacco industry.

This bill would (1) direct the Secretary of Agriculture to redetermine the national marketing quota for the 1955 crop of burley tobacco on the basis of the latest available statistics; (2) permit reduction of 1955 crop burley farm allotments of seven-tenths of an acre or less by not more than one-tenth of an acre, no allotment to be so reduced below five-tenths of an acre; (3) provide for the removal of quotas and price support if the redetermined quota is not approved by two-thirds of the producers; and (4) reduce the acreage and percent of cropland factors used in determining minimum burley allotments from seven-tenths of

an acre to five-tenths of an acre, and from 25 percent of the cropland to 10 percent of the cropland, no allotment to be reduced by more than one-tenth of an acre in any one year.

The 1955 burley quota of 478 million pounds was announced on November 26, 1954, pursuant to law. At the time of the announcement of this quota the markets had not yet opened. Hence, the only figure available was the November crop estimate. The November estimate of 582 million pounds has now been determined to have been low. At the conclusion of the burley markets it appears that a 670-million-pound crop was produced. The contributing factors causing this discrepancy between estimated and final production figures is attributable to the unusual growing season and to the fact, as set out above, that for the first time more acreage of tobacco was produced than had been allotted. This was accomplished largely by the producer's decision to pay penalty rather than dispose of excess tobacco, other than by marketing, prior to the market. If another crop of 650 million pounds is produced in 1955 a further decrease of upward of 60 percent in the national allotment will be necessary for 1956. In order to avoid this situation the bill provides for redetermination of the 1955 quota on the basis of the latest available information, the new quota to be submitted to producers by referendum.

In 1952 Congress reduced the then minimum of 1 acre to seven-tenths, thus greatly relieving the situation then existing. At present, the burley allotment for any farm cannot be less than the smallest of (1) the allotment for the immediately preceding year, (2) seven-tenths acre, or (3) 25 percent of the cropland on the farm. As a result of a decrease of 10 percent in allotments in 1953 and a further decrease in 1954 of another 8 percent, there has been placed within the minimum acreage provisions additional allotments that cannot be further reduced as they in turn have become seven-tenths or less. This accumulation may be pointed out by the fact that we now have 64 percent of the allotments (30 percent of all allotted acres) that have seven-tenths of an acre or less and thus cannot be reduced except for the few cases with extremely small cropland acreages. It follows that unless the minimum allotment is reduced, 36 percent of the growers with 70 percent of the total allotted acreage will henceforth have to bear all the reductions.

The views of the Department of Agriculture on this legislation are set out below.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., March 15, 1955.

HON. EARLE C. CLEMENTS,

Chairman, Senate Subcommittee on Tobacco of the Senate Committee on Agriculture and Forestry.

DEAR SENATOR CLEMENTS: At the hearings before the Joint Subcommittee on Agriculture on March 10, 1955, a legislative proposal was presented and endorsed by the producer organizations present. This proposal would, in effect, direct the Secretary of Agriculture to hold a referendum of burley producers in which the producers would accept or reject marketing quotas and price supports on the 1955 crop of burley tobacco under the following conditions:

(a) That the Secretary of Agriculture redetermine the 1955 burley allotments using the now known 1954 production and stocks figures (provided that in no case should the 1955 allotment be reduced more than a total of 25 percent under the 1954 allotment).

(b) That the minimum acreage provision under which allotments cannot be reduced below the smaller of (1) 0.7 of an acre, (2) 25 percent of the

cropland, or (3) the allotment for the preceding year, be changed to provide that the minimum shall be the smaller of (1) 0.5 of an acre, (2) 10 percent of the cropland, or (3) the allotment for the preceding year.

The Department feels that such legislation providing for a referendum in which the grower has the opportunity to express his free choice on this matter is a democratic process of law and, thus, is acceptable to the Department.

Sincerely yours,

J. A. McCONNELL, *Assistant Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

PUBLIC LAW 528, 82d CONGRESS

AN ACT Relating to burley tobacco farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That, notwithstanding any other provision of law, the] The farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) [seven-tenths] five-tenths of an acre, or (3) [25] 10 per centum of the cropland: Provided, however, That no allotment of [one] seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any one year. The additional acreage required under this Act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota. [This provision shall be effective for 1953 and subsequent crops.]



Calendar No. 111

84TH CONGRESS
1ST SESSION

S. 1457

[Report No. 111]

IN THE SENATE OF THE UNITED STATES

MARCH 15 (legislative day, MARCH 10), 1955

Mr. CLEMENTS (for himself, Mr. SCOTT, and Mr. SCHOEPEL) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955

Reported by Mr. CLEMENTS, without amendment

A BILL

To redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, notwithstanding any other provision of law—
4 (1) the Secretary of Agriculture shall, within ten
5 days after enactment of this Act, redetermine the na-
6 tional marketing quota for burley tobacco for the 1955-
7 1956 marketing year on the basis of the latest available
8 statistics of the Federal Government, apportion such
9 quota among States, convert the State quotas to State
10 acreage allotments, and allot the same among farms

1 pursuant to and in accordance with applicable provisions
2 of law: *Provided*, That burley tobacco marketing quotas
3 and acreage allotments heretofore established for the
4 1955-1956 marketing year shall not be effective, but
5 the preliminary burley tobacco acreage allotment for any
6 farm determined under section 725.616 of the burley
7 and flue-cured tobacco marketing quota regulations,
8 1955-1956 marketing year, issued by the Secretary of
9 Agriculture (19 Federal Register 3549), shall not be
10 reduced by more than 25 per centum (except for reduc-
11 tions under section 725.619 of said regulations) ;

12 (2) burley tobacco farm acreage allotments of
13 seven-tenths of an acre or less heretofore determined for
14 the 1955-1956 marketing year when redetermined pur-
15 suant to paragraph (1) of this Act may be reduced
16 but not more than one-tenth acre: *Provided, however*,
17 That no allotment of five-tenths of an acre or less shall
18 be reduced under this section;

19 (3) within twenty days after the issuance of the
20 proclamation of the national marketing quota for burley
21 tobacco for the 1955-1956 marketing year as redeter-
22 mined pursuant to paragraph (1) of this Act, the Sec-
23 retary of Agriculture shall conduct a referendum of
24 farmers who were engaged in the production of the 1954

1 crop of burley tobacco to determine whether such farmers
2 are in favor of or opposed to such redetermined quota.
3 If more than one-third of the farmers voting in the
4 referendum oppose such redetermined quota, the Sec-
5 retary of Agriculture shall, within thirty days after the
6 date of the referendum, proclaim the result of the refer-
7 endum and (1) no quota for burley tobacco for the
8 1955-1956 marketing year shall be effective thereafter,
9 and (2) no price support shall be made available on
10 the 1955 crop of burley tobacco; and

11 (4) Public Law 528, Eighty-second Congress (66
12 Stat. 597), is hereby amended, effective for the 1956
13 and subsequent crops of burley tobacco, to read as
14 follows: "The farm acreage allotment for burley tobacco
15 for any year shall not be less than the smallest of (1)
16 the allotment established for the farm for the immedi-
17 ately preceding year, (2) five-tenths of an acre, or (3)
18 10 per centum of the cropland: *Provided, however,* That
19 no allotment of seven-tenths of an acre or less shall be
20 reduced more than one-tenth of an acre in any one year.
21 The additional acreage required under this Act shall be
22 in addition to the State acreage allotments and the
23 production on such acreage shall be in addition to the
24 national marketing quota."

A BILL

To redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

By Mr. CLEMENTS, Mr. SCOTT, and Mr.
SCHOERVEL

MARCH 15 (legislative day, MARCH 10), 1955
Read twice and referred to the Committee on
Agriculture and Forestry

MARCH 16 (legislative day, MARCH 10), 1955
Reported without amendment

EXCESS TOBACCO ACREAGE NOT TO COUNT TOWARD HISTORY

MARCH 16 (legislative day, MARCH 10), 1955.—Ordered to be printed

Mr. CLEMENTS, from the Committee on Agriculture and Forestry, submitted the following

R E P O R T

[To accompany S. 1327]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1327) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, having considered the same, report thereon with a recommendation that it do pass with an amendment.

Tobacco supplies are now reaching a critical situation. In the case of burley we now have 1,863 million pounds, a 3½-year supply, whereas a 2.7-year supply is considered adequate. Because of this a subcommittee of your committee was appointed to study the special problems of tobacco prices, production controls, and related matters. The subcommittee met jointly with a similar subcommittee of the Committee on Agriculture of the House of Representatives and heard testimony from the Department of Agriculture and other persons interested in the matters before the subcommittee.

This bill is one of a series of bills favorably reported by the subcommittee, each being designed to strengthen a particular aspect of our tobacco-marketing quota program in order to improve the program's effectiveness. The others are S. 1325, S. 1326, S. 1436, and S. 1457. It was reported unanimously by the subcommittee and has the approval of the Department and the tobacco industry.

This bill approaches the problem by providing that tobacco acreage harvested in excess of the farm allotment shall not be counted in establishing State and farm allotments. Farm allotments are based on past acreage harvested and other factors; and at present producers can build up their base acreage by violating their allotments. This bill would put a stop to this practice. The committee amendment would make it clear that the bill would apply only to acreage harvested in the future.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

(g) Notwithstanding any other provision of this section, the Secretary on the basis of average yield per acre of tobacco for the State during the 5 years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production, may convert the State marketing quota into a State acreage allotment, and allot the same through the local committees among farms on the basis of the factors set forth in subsection (b), using past acreage (harvested and diverted) in lieu of the past marketing of tobacco; and the Secretary on the basis of the national average yield during the same period, similarly adjusted, may also convert into an acreage allotment the amount reserved from the national quota pursuant to the provisions of subsection (c), and on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, allot the same through the local committees among farms on which no tobacco was produced during the last 5 years. *Any acreage of tobacco harvested in excess of the farm acreage allotment for the 1955 or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments.* Except for farms last mentioned or a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced, the farm-acreage allotment shall be increased by the smaller of (1) 20 per centum of such allotment or (2) the percentage by which the normal yield of such allotment (as determined through the local committees in accordance with regulations prescribed by the Secretary) is less than 3,200 pounds, in the case of flue-cured tobacco, and 2,400 pounds in the case of other kinds of tobacco; *Provided*, That the normal yield of the estimated number of acres so added to farm acreage allotments in any State shall be considered as a part of the State marketing quota in applying the proviso in subsection (a). The actual production of the acreage allotment established for a farm pursuant to this subsection shall be the amount of the farm marketing quota. If any amount of tobacco shall be marketed as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quota, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such tobacco is produced shall be reduced by a percentage similarly computed.

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 21, 1955
March 18, 1955
84th-1st, No. 49

CONTENTS

A.C.P.....7	Livestock.....7	School lunch.....18
Acreage allotments..2,8,34	Loans, farm.....31	Selective service.....22
Adjournment.....17	Minerals.....32	Soil conservation.....1,7
Appropriations.....1,6,14	Monopolies.....6,12	Surplus food.....18
Banking and currency....29	Nomination.....10	Statehood.....5
Civil defense.....14	Natural resources.....27	Taxation.....28
Comptroller General....10	Organization, executive..9	Technical assistance.....1
Cotton.....8,19,34	Personnel.....11,30	Tobacco.....3,6
Education.....23	Poultry.....7,26	Trade agreements.....4
Expenditures.....11	Price supports.....6	Transportation.....28
Exports.....19	R.E.A.....24	Veterans' benefits.....31
Forestry.....27,33	Reclamation.....15,25	Virgin Islands.....7
Fruits and vegetables...21	Research.....18	Water compact.....13
Labor, farm.....22	Rice.....2	Wheat.....20
Lands, public.....32	Roads.....5,16	Wind erosion.....1
Legislative program.6,8,17	Rubber.....6	

HIGHLIGHTS: See last page of digest.

HOUSE

1. APPROPRIATIONS. Passed with amendments H. R. 4903, the second supplemental appropriation bill, 1955. Agreed, 174-107, to an amendment by Rep. Preston to provide \$4,000,000 for contributions to the UN expanded program of technical assistance. Rejected, 52-74, an amendment to this amendment, by Rep. Phillips, to reduce this amount to \$2,500,000 and make all of it available to FAO. Also agreed to an amendment by Rep. Taber to provide for the transfer of these funds from the appropriation contained in Public Law 778, 83rd Congress, for assistance authorized by sec. 121 of Public Law 665, 83rd Congress. A similar provision had previously been deleted on a point of order made by Rep. Hoffman, Mich. (pp. 2620-38). Rep. Hill commended the wind-erosion control item (p. 2634).

The Appropriations Committee reported without amendment H. R. 5046, the Labor-HEW appropriation bill, 1956 (H. Rept. 228) (pp. 2619, 2643).

2. RICE. Passed without amendment H. R. 2839, to provide for reapportionment of rice acreage allotments voluntarily surrendered to the county committee; and H. R. 4356, to divide the 1956 and subsequent rice acreage allotments on a farm in accordance with previous acreage allotment (p. 2642).

The Agriculture Committee reported with amendment H. R. 4647, to increase the State rice acreage allotments for 1955 by 5% (H. Rept. 237) (p. 2643).

3. TOBACCO. The Agriculture Committee reported with amendment H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year (H. Rept. 238) (p. 2643).

4. TRADE AGREEMENTS. Rep. Philbin inserted and commended Henry S. Woodbridge's (American Optical Co.) statement urging amendment of H. R. 1, the trade agreements extension bill, so as to preserve skills "essential to our national security" (p. 2638).
5. ROADS; STATEHOOD. Received a resolution and several petitions supporting the position of the American Association of State Highway Officials relating to the proposed Federal-aid highway program and urging Alaska-Hawaii statehood (p. 2644).
6. LEGISLATIVE PROGRAM as announced by Majority Leader McCormack: Mon., bill to redetermine burley tobacco allotments and Labor-HEW appropriation bill; Tues. and Wed., resolutions disapproving sale of certain rubber plants and bill to reestablish 90% price supports on basic commodities; and Thurs., Fri., and Sat., Interior appropriation bill and bill to increase penalties under Sherman Antitrust Act (pp. 2628-9).

SENATE

7. VIRGIN ISLANDS; SOIL CONSERVATION. The Agriculture and Forestry Committee reported without amendment S. 1166, to restore authority on imports of live-stock and poultry into the Virgin Islands (S. Rept. 114); and S. 1167, to permit ACP payments to persons who carry out conservation practices on Federal noncropland which directly benefit nearby or adjoining private lands (S. Rept. 115)(p. 2651).
8. COTTON ALLOTMENTS. Made H. R. 3952, to amend the Agricultural Adjustment Act of 1938 so as to provide for an increase in the 1955 national cotton acreage allotment of approximately 258,000 acres, its unfinished business (p. 2715).
9. REORGANIZATION. Further insisted upon its amendments to H. R. 2576, to continue the Reorganization Act of 1949 (p. 2645). (House conferees have been appointed, but Senate conferees have not.)
10. NOMINATION of Joseph Campbell to be Comptroller General was confirmed (pp. 2669-83, 2791-2).
11. PERSONNEL, EXPENDITURES. Sen. Byrd inserted an additional report from the Joint Committee on Reduction of Nonessential Federal Expenditures on civilian employment and pay in the executive branch during Jan. 1955 (pp. 2651-5).
Sen. Dirksen (for himself and Sens. Bricker, Butler, Humphrey, Ives, Jackson, Lehman, McNamara, Pastore, Potter, and Kuchel) submitted amendments intended to be proposed by them to S. 67, to increase the pay of Federal employees (p. 2662).
Sen. Humphrey inserted and commended former Sen. Harry Cains's recent address criticizing the Federal employees security program and favoring "a commission of outstanding citizens to concern itself basically with policy questions relating to internal security" (pp. 2683-91).
12. MONOPOLIES. Agreed to S. Res. 61, authorizing expenditure of \$200,000 by the Judiciary Committee for a study of the antitrust laws of the U. S. and their administration, interpretation, and effect, after adoption of a Sen. Ellender amendment to reduce the authorized expenditure from \$250,000 to 200,000 (pp. 2702-3, 2707-8).

BURLEY TOBACCO ACREAGE ALLOTMENTS AND MARKETING QUOTAS

MARCH 18, 1955.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

R E P O R T

[To accompany H. R. 4951]

The Committee on Agriculture, to whom was referred the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

Page 1, line 4, strike out "the" and insert "The".

Page 2, line 12, strike out "burley" and insert "Burley".

Page 3, line 9, strike out the semicolon and the word "and" and insert a period.

Page 3, line 10, strike out "(4)" and insert "Sec. 2".

Page 3, following line 23 insert the following new sections:

SEC. 3. Section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding immediately after the first sentence thereof a new sentence to read as follows: "Any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955, or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments."

SEC. 4. The last sentence of section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding in the last sentence thereof immediately following the language "if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary" the language "or if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm required by regulations issued pursuant to this Act".

SEC. 5. Section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended, effective July 1, 1955, with respect to flue-cured tobacco, and October 1, 1955, with respect to other kinds of tobacco, by striking out the figure "50" therein and inserting in lieu thereof the figure "75".

STATEMENT

The purpose of this bill is to make adjustments in the tobacco acreage allotment and marketing quota law, particularly with reference to burley tobacco, that it is hoped will prevent an acreage reduction in 1956 which, it has been estimated, might run as high as 50 percent of the present burley tobacco acreage.

The major changes made by the bill are—

(1) A direction to the Secretary of Agriculture to redetermine the 1955-56 burley marketing quota on the basis of the latest available statistics and to conduct a new referendum to determine whether or not burley producers favor acceptance of the new quota;

(2) Authority, in making the redetermination of 1955-56 quotas, to reduce by an amount not exceeding one-tenth of an acre the existing burley allotments which are seven-tenths of an acre or less but more than five-tenths of an acre;

(3) Makes a permanent amendment to the burley tobacco law establishing a new minimum acreage allotment;

(4) Provides, with respect to all tobacco, that acreage harvested in excess of the farm acreage allotment shall not be taken into account in establishing future acreage allotments;

(5) Provides that hereafter if a producer makes a false report of the acreage of tobacco grown on his farm, the amount of the misstatement shall be deducted from his next year's allotment;

(6) Provides, with respect to all tobacco, that the penalty will be increased from 50 percent to 75 percent of the previous season's average price.

For the past 2 or 3 years it has been apparent that the Department of Agriculture was having difficulty in maintaining supplies of burley tobacco in reasonable balance with demand under the existing provisions of law. The carryover of old crop burley tobacco on October 1, 1954, was 1,198 million pounds. Adding to this a 1954 crop estimated at 670 million pounds makes a total supply of approximately 1,868 million pounds, which is equivalent to about a 3½ years disappearance at the normal rate of use. A supply of approximately 2.8 years disappearance is considered normal.

There are a number of factors which have contributed to the difficulty being experienced with the burley tobacco program. One of these is the exceedingly high proportion of growers with very small acreage allotments. Department officials estimate that approximately 64 percent of the 320,000 farmers growing burley tobacco have allotments of seven-tenths of an acre or less. Under the present provisions of law none of these small allotments can be further reduced.

Another factor contributing to the situation is that under existing provisions of law acreage planted in excess of the farm marketing quota could be counted in the production history of the farm in establishing future acreage allotments. Apparently some growers have found it profitable to pay the 50-percent penalty imposed on the tobacco grown on the excess acreage for the purpose of acquiring additional history and thus increasing their future allotments.

The situation in burley tobacco has been brought to a head by what appears to have been a substantial underestimation of the 1954 burley tobacco crop in the November 1, 1954, crop report. The law

requires that tobacco quotas must be proclaimed not later than December 1. Using the estimate then available of burley tobacco production for 1954 of 582 million pounds, the Department announced a 1955 burley tobacco quota reduced approximately 10 percent from the 1954 acreage. Since that time the burley crop has gone to market and the latest available figures indicate a crop of approximately 670 million pounds, some 88 million pounds more than was estimated at the time the 1955 quota was determined.

Had these latest estimates of the 1954 crop been available at the time the quota was determined on November 26, 1954, the cut in acreage for 1955 would have been approximately 25 to 30 percent instead of the 10 percent cut which was announced.

Department officials estimated at the committee hearing that unless an additional reduction in burley acreage is authorized and made for 1955, it may be necessary to reduce burley acreage by as much as 50 percent in 1956.

In an effort to find some way out of the situation which had developed, the Department of Agriculture called a meeting on January 13, 1955, in Lexington, Ky., of representatives of producers from the eight principal burley tobacco producing States. A later meeting was held in the same city on January 26, 1955.

Following these meetings, Department officials formulated five recommendations for remedial legislation which were transmitted to the committee on the first day of its hearings on these bills. Following is the text of the Department's recommendations:

1. The act be amended to permit redetermination of the 1955 national marketing quota and State and farm acreage allotments for burley tobacco on the basis of data now available.

2. The rate of penalty on the marketing of excess tobacco be increased from 50 to 75 percent of the average market price during the previous year.

3. Amend the act to provide that any acreage of tobacco harvested in excess of the allotted acreage for any farm for any year shall not be considered in the establishment of the allotment for the farm in succeeding years.

4. Amend the act to require a reduction in the acreage allotment next established for a farm if any person connected with the farm causes, aids, or acquiesces in filing or causing to be filed any report with respect to the acreage of tobacco grown on the farm which the county committee determines to be false.

We wish to direct the committee's attention to another serious problem which applies only to burley tobacco. That relates to minimum allotments. We estimate that about 64 percent of the 320,000 farms having burley allotments have allotments of seven-tenths of an acre or less. If this minimum is maintained, it will necessitate drastic reductions in the allotments above the minimum. It is suggested that the committee may want to give careful consideration to the many problems relating to minimum farm acreage allotments.

5. There is one other suggestion we have, which does not apply to burley tobacco since growers have consistently approved quotas for 3-year periods. However, on some other kinds of tobacco, quotas have been approved one year and then disapproved for the next year. We recommend that the act be amended to eliminate the provision whereby growers may vote for quotas either for 3 years or 1 year and provide for voting only on the question of quotas for 3 years. This proposal does not apply to burley tobacco where growers always approve quotas for 3-year periods. This would eliminate the expense of establishing allotments and conducting referenda in areas where growers are opposed to marketing quotas. Further, it would prevent losses to Commodity, since a sound price-support program cannot be operated on an in-one-year-and-out-the-next basis.

The bill reported herewith follows the first four of the Department's recommendations. Recommendation No. 5, relating to voting on quotas for 3 years or 1 year, has not been acted upon at this time.

The bill reported herewith (H. R. 4951, by Mr. Abbitt) originally related only to the redetermination of the 1955 marketing quota and

a permanent change in the minimum acreage allotment for burley tobacco. As reported, the bill has been amended by addition thereto, as separate sections, the provisions of three other bills: H. R. 4756 by Mr. Watts, relating to history credit for excess acreage; H. R. 4757 by Mr. Watts, relating to the filing of false reports; and H. R. 4989 by Mr. Jennings, increasing the marketing penalty.

ANALYSIS OF THE BILL

Section 1

This section directs the Secretary of Agriculture to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year on the basis of the latest available statistics of the Federal Government and to reallocate the new quota. In applying the 25-percent limitation on reductions in paragraph 1, the committee intends that the usual practice of rounding fractions shall be followed. Burley tobacco farm allotments of seven-tenths of an acre or less, but more than five-tenths of an acre, may be reduced in the reallocation but not to exceed one-tenth of an acre. After making the reallocation, the Secretary will conduct a new referendum on the quotas, as revised, giving burley producers an opportunity to accept or reject the 1955-56 quotas as revised. Rejections of the revised quotas would result in no quotas and no price support for the 1955 crop of burley. Following is the text of the two sections of the burley tobacco regulations referred to in paragraph 1:

§ 725.619 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1955 shall be reduced as provided in this section, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due at the time the tobacco is marketed and, in the event of failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any such reduction shall be made with respect to the 1955 farm acreage allotment, provided it can be made at least 30 days prior to the beginning of the normal planting season for the county in which the farm is located as determined by the State committee. If the reduction cannot be so made effective with respect to the 1955 allotment such reduction shall be made with respect to the farm acreage allotment next established for the farm where the reduction can be made within the time specified above. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1955 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation. If the actual production of tobacco on the farm is not known, the county committee shall estimate such actual production, taking into consideration the con-

dition of the tobacco crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar: *Provided*, That the estimate of such actual production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The actual yield of tobacco on the farm as so estimated by the county committee multiplied by the farm acreage allotment shall be considered the farm marketing quota for the purposes of this section. In determining the amount of tobacco for which satisfactory proof of disposition has not been shown in case the actual production of tobacco on the farm is not known, the amount of tobacco involved in the violation shall be deemed to be the actual production of tobacco on the farm, estimated as above, less the amount of tobacco for which satisfactory proof of disposition has been shown.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraph (a) or (b) of this section.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 725.616 *Determination of 1955 preliminary acreage allotments for old farms.* The preliminary acreage allotment for an old farm shall be the 1954 allotment with the following exceptions:

(a) If the acreage of tobacco harvested on the farm in each of the three years 1952-54 was less than 75 percent of the farm acreage allotment for each of such years, the preliminary allotment shall be the larger of (1) the largest acreage of tobacco harvested on the farm in any one of such three years, or (2) the average acreage of tobacco harvested on the farm in the five years 1950-54: *Provided*, That any such preliminary allotment shall not exceed the 1954 allotment for such farm or be less than 0.1 acre.

(b) If the county committee determines that failure to harvest as much as 75 percent of the acreage allotted to the farm during any one of the three years 1952-54 was due to (1) service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, or (2) black shank infestation on the farm, the preliminary allotment for the farm shall be the 1954 allotment.

(c) If no 1954 allotment was established for the farm, the preliminary allotment shall be the smaller of (1) the average acreage of tobacco harvested on the farm in the five years 1950-54, or (2) the acreage obtained by multiplying the farm's average acreage for the five years 1950-54 by the ratio of the farm's actual yield to the 1954 county average yield: *Provided*, That such preliminary allotment shall not be less than 0.1 acre.

(d) If the acreage of tobacco harvested on the farm in 1954 exceeded the 1954 allotment by more than 10 percent, the preliminary allotment shall be the 1954 allotment plus the smaller of (1) one-fifth of the excess acreage, or (2) the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1954 county average yield.

(e) The preliminary allotments determined under paragraph (c) or (d) of this section shall not exceed the smallest of (1) the acreage indicated by cropland, (2) 20 percent of the acreage of cropland on the farm in the case of flue-cured tobacco, or (3) the acreage capacity of curing barns located on the farm and suitable for curing tobacco, which in the case of flue-cured tobacco shall be 3.5 acres per barn: *Provided*, That no preliminary allotment shall be reduced below the 1954 allotment because of these factors or be less than 0.1 acre.

(f) The preliminary allotment shall not exceed 80 percent of the acreage of cropland on the farm.

Section 2

This section makes a permanent change in the minimum acreage allotment for burley tobacco, establishing the new minimum as the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) five-tenths of an acre (instead of seven-tenths), or (3) 10 percent of the cropland (instead of 25 percent).

Section 3

This section provides that excess tobacco acreage for the years 1955 and thereafter shall not be taken into consideration as part of the farm history in establishing future acreage allotments.

Section 4

This section provides that if any tobacco producer files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on his farm, the next acreage allotment for the farm shall be reduced by the same percentage as the amount of misstatement in the report.

Section 5

Section 5 changes the marketing penalty on tobacco produced in excess of the marketing quota from 50 percent to 75 percent of the average market price for such tobacco for the preceding marketing year.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is in italics; existing law in which no change is proposed is shown in roman):

PUBLIC LAW 528, EIGHTY-SECOND CONGRESS

(66 Stat. 597; 7 U. S. C. 1315)

* * * [notwithstanding any other provision of law, the farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) seven-tenths of an acre, or (3) 25 per centum of the cropland: *Provided, however,* That no allotment of one acre or less shall be reduced more than one-tenth of an acre in any one year. The additional acreage required under this Act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota. This provision shall be effective for 1953 and subsequent crops.]

The farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) five-tenths of an acre, or (3) 10 per centum of the cropland: Provided, however, That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any one year. The additional acreage required under this Act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota.

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

TITLE III—PARITY PAYMENTS, CONSUMER SAFEGUARDS, AND
MARKETING QUOTAS

* * * * *

SEC. 313 * * *

(g) Notwithstanding any other provision of this section, the Secretary on the basis of average yield per acre of tobacco for the State during the 5 years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production, may convert the State marketing quota into a State acreage allotment, and allot the same through the local committees among farms on the basis of the factors set forth in subsection (b), using past acreage (harvested and diverted) in lieu of the past marketing of tobacco; and the Secretary on the basis of the national average yield during the same period, similarly adjusted, may also convert into an acreage allotment the amount reserved

from the national quota pursuant to the provisions of subsection (c), and on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, allot the same through the local committees among farms on which no tobacco was produced during the last 5 years. *Any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955 or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments.* Except for farms last mentioned or a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced, the farm-acreage allotment shall be increased by the smaller of (1) 20 per centum of such allotment or (2) the percentage by which the normal yield of such allotment (as determined through the local committees in accordance with regulations prescribed by the Secretary) is less than 3,200 pounds, in the case of flue-cured tobacco, and 2,400 pounds in the case of other kinds of tobacco: *Provided, That the normal yield of the estimated number of acres so added to farm acreage allotments in any State shall be considered as a part of the State marketing quota in applying the proviso in subsection (a).* The actual production of the acreage allotment established for a farm pursuant to this subsection shall be the amount of the farm marketing quota. If any amount of tobacco shall be marketed as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quota, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary *or if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm required by regulations issued pursuant to this Act,* the acreage allotment next established for the farm on which such tobacco is produced shall be reduced by a percentage similarly computed.

* * * * *

SEC. 314. (a) The marketing of any kind of tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of [50] 75 per centum of the average market price (calculated to the nearest whole cent) for such kind of tobacco for the immediately preceding marketing year. Such penalty shall be paid by the person who acquired such tobacco from the producer but an amount equivalent to the penalty may be deducted by the buyer from the price paid to the producer in case such tobacco is marketed by sale; or, if the tobacco is marketed by the producer through a warehouseman or other agent, such penalty shall be paid by such warehouseman or agent who may deduct an amount equivalent to the penalty from the price paid to the producer: *Provided, That in case any tobacco is marketed directly to any person outside the United States the penalty shall be paid and remitted by the producer.* If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in excess of the farm-acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. Tobacco carried over by the producer thereof from one marketing year to another may be marketed without payment of the penalty imposed by this section if the total amount of tobacco available for marketing from the farm in the marketing year from which the tobacco is carried over did not exceed the farm marketing quota established for the farm for such marketing year (or which would have been established if marketing quotas had been in effect for such marketing year), or if the tobacco so carried over does not exceed the normal production of that number of acres by which the harvested acreage of tobacco in the calendar year in which the marketing year begins is less than the farm-acreage allotment. Tobacco produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though it is marketed prior to the date on which such marketing year begins.

Union Calendar No. 58

84TH CONGRESS
1ST SESSION

H. R. 4951

[Report No. 238]

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 1955

Mr. ABBITT introduced the following bill; which was referred to the Committee on Agriculture

MARCH 18, 1955

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That notwithstanding any other provision of law—

4 (1) ~~the~~ *The* Secretary of Agriculture shall, within
5 ten days after enactment of this Act, redetermine the na-
6 tional marketing quota for burley tobacco for the 1955-

1 1956 marketing year on the basis of the latest available
2 statistics of the Federal Government, apportion such
3 quota among States, convert the State quotas to State
4 acreage allotments, and allot the same among farms
5 pursuant to and in accordance with applicable provisions
6 of law: *Provided*, That burley tobacco marketing quotas
7 and acreage allotments heretofore established for the
8 1955-1956 marketing year shall not be effective, but
9 the preliminary burley tobacco acreage allotment for
10 any farm determined under section 725.616 of the burley
11 and flue-cured tobacco marketing quota regulations,
12 1955-1956 marketing year, issued by the Secretary of
13 Agriculture (19 Federal Register 3549), shall not be
14 reduced by more than 25 per centum (except for re-
15 ductions under section 725.619 of said regulations);

16 (2) ~~burley~~ *Burley* tobacco farm acreage allotments
17 of seven-tenths of an acre or less heretofore determined
18 for the 1955-1956 marketing year when redetermined
19 pursuant to paragraph (1) of this Act may be reduced
20 but not more than one-tenth acre: *Provided, however*,
21 That no allotment of five-tenths of an acre or less shall
22 be reduced under this section;

23 (3) Within twenty days after the issuance of the
24 proclamation of the national marketing quota for burley

1 tobacco for the 1955-1956 marketing year as redeter-
2 mined pursuant to paragraph (1) of this Act, the Sec-
3 retary of Agriculture shall conduct a referendum of
4 farmers who were engaged in the production of the 1954
5 crop of burley tobacco to determine whether such
6 farmers are in favor of or opposed to such redetermined
7 quota. If more than one-third of the farmers voting in
8 the referendum oppose such redetermined quota, the
9 Secretary of Agriculture shall, within thirty days after
10 the date of the referendum, proclaim the result of the
11 referendum and (1) no quota for burley tobacco for
12 the 1955-1956 marketing year shall be effective there-
13 after, and (2) no price support shall be made available
14 on the 1955 crop of burley ~~tobacco~~; and tobacco.

15 ~~(4)~~ SEC. 2. Public Law 528, Eighty-second Congress
16 (66 Stat. 597), is hereby amended, effective for the 1956
17 and subsequent crops of burley tobacco, to read as follows:
18 "The farm acreage allotment for burley tobacco for any year
19 shall not be less than the smallest of (1) the allotment
20 established for the farm for the immediately preceding year,
21 (2) five-tenths of an acre, or (3) 10 per centum of the
22 cropland: *Provided, however,* That no allotment of seven-
23 tenths of an acre or less shall be reduced more than one-tenth
24 of an acre in any one year. The additional acreage required

1 under this Act shall be in addition to the State acreage allot-
2 ments and the production on such acreage shall be in addition
3 to the national marketing quota.”

4 *SEC. 3. Section 313 (g) of the Agricultural Adjustment*
5 *Act of 1938, as amended, is amended by adding immedi-*
6 *ately after the first sentence thereof a new sentence to read*
7 *as follows: “Any acreage of tobacco harvested in excess of*
8 *the farm acreage allotment for the year 1955, or any subse-*
9 *quent crop shall not be taken into account in establishing*
10 *State and farm acreage allotments.”*

11 *SEC. 4. The last sentence of section 313 (g) of the Agri-*
12 *cultural Adjustment Act of 1938, as amended, is amended by*
13 *adding in the last sentence thereof immediately following*
14 *the language “if proof of the disposition of any amount of*
15 *tobacco is not furnished as required by the Secretary” the*
16 *language “or if any producer on the farm files, or aids or*
17 *acquiesces in the filing of, any false report with respect*
18 *to the acreage of tobacco grown on the farm required by*
19 *regulations issued pursuant to this Act”.*

20 *SEC. 5. Section 314 (a) of the Agricultural Adjustment*
21 *Act of 1938, as amended, is hereby amended, effective July 1,*
22 *1955, with respect to flue-cured tobacco, and October 1,*
23 *1955, with respect to other kinds of tobacco, by striking out*
24 *the figure “50” therein and inserting in lieu thereof the*
25 *figure “75”.*

84TH CONGRESS
1ST Session

H. R. 4951

[Report No. 238]

A BILL

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

By Mr. ARBITT

MARCH 15, 1955

Referred to the Committee on Agriculture

MARCH 18, 1955

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 22, 1955
For actions of March 21, 1955
84th-1st, No. 50

CONTENTS

Acreage allotments.....3	Imports.....7,15	Research.....1,9
Alaska.....7	Insect research.....1	Rubber.....5,13
Appropriations.....1,29,30	Labor, farm.....22	School lunch.....19
Education.....27	Lands, LU.....23	Small business.....6
Experimental Station.....1	public.....1,8	Soil conservation.....1
Farm prices.....15	Livestock and meats.....7	Surplus food.....19,26
Farm program.....17	Loans, farm.....20,24	Surplus property.....18
Flood control.....10	Organization, executive	Tobacco.....3
Food supply.....19,26	2,25	Virgin Islands.....1
Forestry.....1,8,9	Personnel.....1,4,11,16	Water conservation.....1
Fruits and vegetables.....7	Postal employees' pay....4	Water research.....1
Health.....21	Price supports.....12,14,17	Weather.....7
Housing, farm.....24	Property.....28	Wheat.....14

HIGHLIGHTS: House passed Labor-HEW appropriation bill. House committee reported Interior and related agencies appropriation bill. House rejected motion to suspend rules and pass bill to redetermine burley tobacco allotments. Rep. Cooley introduced bill to dispose of LU lands. Rep. Beamer criticized proposed wheat-certificate plan.

HOUSE

1. APPROPRIATIONS. Passed with amendment H. R. 5046, the Labor-HEW appropriation bill, 1956. The amendment would bar payment of unemployment compensation to Federal employees who voluntarily sever their employment. The bill as passed provides total appropriations of \$2,337,522,261, of which \$417,792,900 is for the Department of Labor; and \$1,907,403,361 for the Department of Health, Education, and Welfare. The total appropriation is \$94,218,314 less than the 1955 amount and is \$94,626,600 below the budget estimates. (pp. 2753-69.) Rep. Metcalf urged an increase in funds for a Federal-State cooperative mosquito research project, Milk River Valley, Mont. (p. 2767).

The Appropriations Committee reported without amendment H. R. 5085, the Department of the Interior and Related Agencies Appropriation Bill for 1956 (H. Rept. 239) (pp. 2717, 2786). See end of this Digest for a table on Forest Service items, which are included in this bill.

The bill includes the Budget estimates of \$400,000 for salt-water research and \$390,000 for the Virgin Islands Corporation. The bill provides an increase of \$1,137,000 over the current year in the soil and moisture program and certain other activities of the Bureau of Land Management. In connection with this agency the committee report states: "The Committee directs that a study be made as to the feasibility of transferring the Squaw-Butte Experimental Station to the Department of Agriculture. The work at this station parallels research activities of the Forest Service and possibly should be integrated with that program."

2. REORGANIZATION. Agreed to Senate amendment, with a further House amendment to H. R. 2576, to continue the Reorganization Act of 1949. The bill, as amended, would continue the Act for 26 months (until June 1, 1957) instead of 3 years (as passed by the House) or 2 years (as passed by the Senate). (p. 2719).
3. TOBACCO. Rejected a motion, 260-151 (a two-thirds majority is necessary for passage under suspension of the rules), to suspend the rules and pass with committee amendments H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year (pp. 2744-53).
4. POSTAL EMPLOYEES' PAY. Rejected a motion, 120-302, to suspend the rules and pass H. R. 4644, to increase the rates of basic salary of postal employees and to eliminate certain salary inequities (pp. 2720-44). Rep. Anfuso urged a 10% increase in postal employees' salaries (p. 2718).
5. RUBBER. Rep. Patman spoke against the proposed sale of Government-owned synthetic rubber producing facilities to private industry and inserted the House Small Business Committee staff report concerning the plan for disposal of these facilities (pp. 2774-82).
6. SMALL BUSINESS. Received the Third Semiannual Report of the Small Business Administration covering operations between Aug. 1, 1954 and Jan. 31, 1955 (p. 2786).
7. MEAT IMPORTS; CHERRY IMPORTS; WEATHER CONTROL; ALASKA. Received various State Legislature memorials, etc., favoring immediate action to stop the importation of canned hams from Communist-dominated countries, urging retention of the present duty on cherry imports, prohibiting seeding of clouds or use of other methods to induce rain or snowfall until sufficient scientific data are collected to make effective regulation possible; favoring extension of rectangular surveys in Alaska and granting to the Territory the same right as has been granted other States under the Submerged Land Act of May 23, 1953 (p. 2788).
8. PUBLIC LANDS. A subcommittee voted to report to the Interior and Insular Affairs Committee H. R. 2679, to amend the act to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz. (p. D229).
9. FORESTRY. Rep. Sikes spoke in favor of additional funds for Forest Service activities, including cooperation with States in tree planting, forest-fire control, timber production, and forest research, and for forest roads and trails, timber resource management, etc. (pp. 2773-4).
10. FLOOD CONTROL. A subcommittee voted to report to the Public Works Committee H. R. 3878, authorizing \$15,000,000 for flood emergency preparation, flood fighting and rescue operations, repair or restoration of any flood-control work threatened or destroyed by flood, etc. (p. D229).
11. PERSONNEL. Rep. Lane spoke in favor of a 10% pay raise for Federal employees (pp. 2717-8).

Service Compensation Act of 1955, and am interested to learn of your committee's action on this important legislation.

My special message to Congress on January 11 emphasized the need for fair adjustments in postal pay and long overdue reclassifications of postal positions. To accomplish these purposes, I recommended an increase of 5 percent in the compensation of postal employees and also a reclassification of postal positions and compensation adjustments to bring about proper wage relationships among new classifications. The combined increases of pay adjustments and reclassification amount to an overall 6½-percent salary increase in the postal service. These modifications, in my judgment, would be equitable to all postal employees.

I am gratified by the committee's action on reclassification. As to the compensation of postal employees, I note that your committee has approved an increase higher than I recommended. This gives me concern not only because of the fiscal impact of such increases, but also because of the close relationship between this legislation and legislation now pending in the Congress affecting the compensation of other Federal employees.

Of course, in the consideration of such legislation as this there can be reasonable differences of opinion as to what constitutes an appropriate increase. Although I shall carefully consider this factor when the time comes for me to act on this legislation, in fairness to you and your colleagues I must make it clear that any additional increases in postal salaries above your committee's action would give me the gravest apprehension.

With kind regard,
Sincerely,

DWIGHT D. EISENHOWER.

I am quite hopeful that the President will sign H. R. 4644 as it is before us today. I am convinced beyond all doubt that if Congress should send him a bill which increased the costs above that of H. R. 4644, which is approximately \$152 million, the President then would veto the bill. I do not believe Congress would ever override a veto of the President on such legislation. The present pay or total salaries of employees of the postal service is nearly \$2 billion.

I have been a member of the House Committee on the Post Office and Civil Service for over 12 years. I have longer service on the committee dealing with postal employees than any other committee member, and no one ever worked harder or longer hours in behalf of fair, helpful, and constructive legislation for postal employees and the postal service than I have in connection with this legislation.

I am a friend of the postal employees and have always been their friend since I have been a Member of Congress. I have met with representatives of all postal-employee groups on this legislation. The ranking minority member of the committee, the gentleman from Kansas [Mr. REES] and I spent two afternoons in conference with the heads of the postal clerks and city carriers reviewing this legislation, and numerous changes were made at their request and suggestion; in fact, the committee changed the classification of city clerks and carriers from level 4 in the first bill to level 5, at an additional cost of \$20 million. The full increase for carriers and a majority of the clerks, including substitutes, in this bill will be around

8 percent. If this bill is enacted into law, the top salary with the three longevity grades for clerks and carriers will be \$4,660, nearly \$400 a month.

That kind of salary is far above that paid schoolteachers with master's degrees, bank tellers, bookkeepers, salesmen, policemen, and firemen in my home city.

Mr. Speaker, I have sponsored more beneficial legislation for postal employees during the past 12 years than any other Member of Congress. In 1945 before the enactment of Public Law 134 the starting salary of a post office clerk and city carrier was \$1,700 and the maximum salary was \$2,100—a carrier or clerk who was receiving the top salary of \$2,100 with 15 years' service in 1945 under the present bill will receive total compensation of \$4,660 per year. Since 1946, when the Legislative Reorganization Act was passed, the average salary of the employees in the postal field service has been increased by 73.3 percent. The provisions of this bill will result in a total increase over 1946 of 87.2 percent.

I have given this measure my most careful consideration and I can tell you in all good faith that this is an equitable, a fair, a constructive bill.

As chairman of the Committee on Post Office and Civil Service I have a difficult and trying task. No chairmanship has more headaches or more trials and tribulations and no committee has more pressure exerted on it by certain postal employee groups. No union leader or any postal employee group is going to dictate my course of action on any legislation. I still reserve the right to exercise my own best judgment and follow the dictates of my own conscience.

I am asking you to suspend the rules and pass this bill because it is a complex complicated, technical piece of legislation with which Members outside of the committee cannot be too familiar. It comprises 110 pages. I hope the House will suspend the rules and pass this bill which has the approval of the District League of Postmasters, Special Delivery Messengers, Mail Handlers, National Association of Postmasters, National Rural Letter Carriers Association, and National Association of Postmasters and Postal Transportation Employees.

If this bill is not approved by Congress I do not know when the postal employees will receive an increase in salary. Now is the opportunity for Members of Congress to vote for a minimum increase of 6 percent for all postal employees and for a fine, proper reclassification of postal jobs which is so badly needed.

The SPEAKER. The question is on suspending the rules and passing the bill.
Mr. MORRISON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 120, nays 302, not voting 12, as follows:

[Roll No. 23]

YEAS—120

Abbt	Andresen,	Bates
Abernethy	August H.	Beamer
Adair	Arends	Bentley
Alger	Avery	Bonner
Allen, Calif.	Baker	Bow
Allen, Ill.	Barden	Brooks, Tex.

Brown, Ohio	Harvey	Reed, N. Y.
Broyhill	Hébert	Rees, Kans.
Budge	Henderson	Richards
Burleson	Hess	Robeson, Va.
Bush	Hillings	St. George
Byrnes, Wis.	Hlnshaw	Scherer
Cederberg	Hoffman, Mich.	Scrivner
Chatham	Holmes	Siler
Chenoweth	Hope	Simpson, Pa.
Clevenger	Horan	Smith, Kans.
Cole	Jackson	Smith, Miss.
Colmer	Jenkins	Smith, Va.
Coon	Johansen	Smith, Wis.
Cooper	Jones, N. C.	Taber
Cretella	Kilburn	Teague, Tex.
Crumpacker	Kilgore	Thompson,
Davis, Wis.	Knox	Mich.
Dles	Laird	Thomson, Wyo.
Dolliver	LeCompte	Thornberry
Dondero	Long	Tuck
Dowdy	McConnell	Utt
Fisher	McCulloch	Van Pelt
Ford	McGregor	Vinson
Frelinghuysen	Mack, Wash.	Vorys
Gamble	Martin	Vursell
Gary	Mason	Westland
Gentry	Meader	Whitten
George	Mumma	Wigglesworth
Gregory	Murray, Tenn.	Williams, Miss.
Gubser	Nicholson	Williams, N. Y.
Halleck	O'Hara, Minn.	Wilson, Ind.
Harden	Phillips	Winstead
Hardy	Poage	Wolcott
Harris	Poff	Younger
Harrison, Va.	Ray	

NAYS—302

Addonizio	Deane	Hosmer
Albert	Delaney	Huddleston
Alexander	Dempsey	Hull
Andersen,	Denton	Hyde
H. Carl	Derounian	Ikard
Andrews	Devereux	James
Anfuso	Diggs	Jarman
Ashley	Dlngell	Jennings
Ashmore	Dixon	Jensen
Aspinall	Dodd	Johnson, Calif.
Auchincloss	Dollinger	Johnson, Wis.
Ayres	Donohue	Jonas
Bailey	Donovan	Jones, Ala.
Baldwin	Dorn, N. Y.	Judd
Barrett	Dorn, S. C.	Karsten
Bass, N. H.	Doyle	Kean
Bass, Tenn.	Durham	Kearney
Baumhart	Edmondson	Kearns
Becker	Elliott	Keating
Belcher	Ellsworth	Kee
Bennett, Fla.	Engle	Kelley, Pa.
Bennett, Mich.	Evins	Kelly, N. Y.
Berry	Fallon	Keogh
Betts	Fascell	Kilday
Blatnik	Feighan	King, Calif.
Blitch	Fenton	King, Pa.
Boggs	Fernandez	Kirwan
Boland	Fine	Klein
Bolling	Fino	Kluczynski
Bolton	Fjare	Knutson
Frances P.	Flood	Krueger
Bosch	Flynt	Landrum
Bowler	Fogarty	Lane
Boykin	Forand	Lanham
Boyle	Forrester	Lankford
Bray	Fountain	Latham
Brooks, La.	Frazier	Leslinski
Brown, Ga.	Friedel	Lipscomb
Brownson	Fulton	Lovre
Buchanan	Garmatz	McCarthy
Buckley	Gathings	McCormack
Burdick	Gavin	McDonough
Burnside	Gordon	McDowell
Byrd	Granahan	McMillan
Byrne, Pa.	Grant	McVey
Cannon	Gray	Macdonald
Carlyle	Green, Oreg.	Machrowicz
Carnahan	Green, Pa.	Mack, Ill.
Carrigg	Griffiths	Madden
Celler	Gross	Magnuson
Chase	Gwinn	Mahon
Chelf	Hagen	Mailliard
Chudoff	Hale	Marshall
Church	Haley	Matthews
Clark	Hand	Merrow
Cooley	Harrison, Nebr.	Metcalf
Corbett	Hays, Ark.	Miller, Calif.
Coudert	Hays, Ohio	Miller, Md.
Cramer	Hayworth	Miller, Nebr.
Cunningham	Herlong	Miller, N. Y.
Curtis, Mass.	Heseltun	Mills
Curtis, Mo.	Hiestand	Minshall
Dague	Hill	Mollohan
Davidson	Hoeven	Morano
Davis, Ga.	Hoffman, Ill.	Morgan
Davis, Tenn.	Holifield	Morrison
Dawson, Ill.	Holt	Moss
Dawson, Utah	Holtzman	Multer

Murray, Ill.	Rhodes, Pa.	Sullivan
Natcher	Riehlman	Talle
Nelson	Riley	Taylor
Norblad	Roberts	Teague, Calif.
Norrell	Robison, Ky.	Thomas
O'Brien, Ill.	Rodino	Thompson, La.
O'Brien, N. Y.	Rogers, Colo.	Thompson, N. J.
O'Hara, Ill.	Rogers, Fla.	Thompson, Tex.
O'Konski	Rogers, Mass.	Tollefson
O'Neill	Rogers, Tex.	Trimble
Osmers	Rooney	Tumulty
Ostertag	Roosevelt	Ugall
Passman	Rutherford	Vanik
Patman	Sadlak	Van Zandt
Patterson	Saylor	Wainwright
Pelly	Schenck	Walter
Perkins	Schwengel	Watts
Pfost	Scott	Weaver
Philbin	Scudder	Wharton
Pilcher	Seely-Brown	Wickersham
Pillion	Selden	Widnall
Polk	Sheehan	Wier
Powell	Shelley	Williams, N. J.
Preston	Sheppara	Willis
Price	Short	Wilson, Calif.
Priest	Shuford	Withrow
Prouty	Sieminski	Wolverton
Quigley	Sikes	Wright
Rabaut	Simpson, Ill.	Yates
Radwan	Sisk	Young
Rains	Spence	Zablocki
Reed, Ill.	Springer	Zelenko
Reuss	Staggers	
Rhodes, Ariz.	Steed	

NOT VOTING—12

Bell	Christopher	Reece, Tenn.
Bolton	Eberharter	Rivers
Oliver P.	Jones, Mo.	Velde
Canfield	McIntire	
Chiperfield	Moulder	

So (two-thirds not having voted in favor thereof), the motion to suspend the rules and pass the bill was rejected.

The Clerk announced the following pairs:

Mr. Eberharter with Mr. Canfield.
 Mr. Christopher with Mr. Reese of Tennessee.
 Mr. Moulder with Mr. McIntire.
 Mr. Rivers with Mr. Chiperfield.
 Mr. Jones of Missouri with Mr. Velde.
 Mr. Bell with Mr. Oliver P. Bolton.

The result of the vote was announced as above recorded.

REDETERMINATION OF NATIONAL MARKETING QUOTA FOR BURLEY TOBACCO

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes, with committee amendments.

The Clerk read the bill and amendments, as follows:

Be it enacted, etc., That notwithstanding any other provision of law—

(1) The Secretary of Agriculture shall, within 10 days after enactment of this act, redetermine the national marketing quota for burley tobacco for the 1955-56 marketing year on the basis of the latest available statistics of the Federal Government, apportion such quota among States, convert the State quotas to State acreage allotments, and allot the same among farms pursuant to and in accordance with applicable provisions of law: *Provided*, That burley tobacco marketing quotas and acreage allotments heretofore established for the 1955-56 marketing year shall not be effective, but the preliminary burley tobacco acreage allotment for any farm determined under section 725.616 of the burley and flue-cured tobacco marketing quota regulations, 1955-56 marketing year, issued by the Secretary of Agriculture (19 Federal Register 3549), shall not be reduced by more than 25 percent (except for reduc-

tions under section 725.619 of said regulations);

(2) Burley tobacco farm acreage allotments of seven-tenths of an acre or less heretofore determined for the 1955-56 marketing year when redetermined pursuant to paragraph (1) of this act may be reduced but not more than one-tenth acre: *Provided, however*, That no allotment of five-tenths of an acre or less shall be reduced under this section;

(3) Within 20 days after the issuance of the proclamation of the national marketing quota for burley tobacco for the 1955-56 marketing year as redetermined pursuant to paragraph (1) of this act, the Secretary of Agriculture shall conduct a referendum of farmers who were engaged in the production of the 1954 crop of burley tobacco to determine whether such farmers are in favor of or opposed to such redetermined quota. If more than one-third of the farmers voting in the referendum oppose such redetermined quota, the Secretary of Agriculture shall, within 30 days after the date of the referendum, proclaim the result of the referendum and (1) no quota for burley tobacco for the 1955-56 marketing year shall be effective thereafter, and (2) no price support shall be made available on the 1955 crop of burley tobacco.

SEC. 2. Public Law 528, 82d Congress (66 Stat. 597), is hereby amended, effective for the 1956 and subsequent crops of burley tobacco, to read as follows:

"The farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) five-tenths of an acre, or (3) 10 percent of the cropland: *Provided, however*, That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any 1 year. The additional acreage required under this act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota."

SEC. 3. Section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding immediately after the first sentence thereof a new sentence to read as follows: "Any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955, or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments."

SEC. 4. The last sentence of section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding in the last sentence thereof immediately following the language "if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary" the language "or if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm required by regulations issued pursuant to this act."

SEC. 5. Section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended, effective July 1, 1955, with respect to flue-cured tobacco, and October 1, 1955, with respect to other kinds of tobacco, by striking out the figure "50" therein and inserting in lieu thereof the figure "75."

The SPEAKER. Is a second demanded?

Mr. HOPE. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the motion?

Mr. HOPE. No; I am not opposed to the motion.

Mr. BASS of Tennessee. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BASS of Tennessee. I am.

The SPEAKER. The gentleman qualifies.

The gentleman from North Carolina [Mr. COOLEY] will be recognized for 20 minutes; and the gentleman from Tennessee [Mr. Bass] for 20.

Mr. COOLEY. Mr. Speaker, I yield myself 9 minutes.

The SPEAKER. The gentleman from North Carolina is recognized.

Mr. COOLEY. Mr. Speaker, I suppose most of the Members of the House are well aware of the fact that the tobacco bill has worked well and successfully in past years; in fact, it has worked so well and so successfully that Mr. Eisenhower in his agriculture message to the Congress recommended a continuation of the program. The Secretary of Agriculture, Mr. Benson, likewise has recommended a continuation of the tobacco program.

I do want to say for the new Members here that this program has operated for many years, and so well and so successfully that it has not to date cost the taxpayers of America a single dollar or a single dime; actually, the program shows a net profit.

But it has now become necessary and desirable to modify and to amend the program. Secretary Benson sent up recommendations to our committee some time ago. I in turn appointed a tobacco subcommittee. The subcommittee held extensive hearings, and everybody expressing a desire to be heard was accorded an opportunity to be heard.

Those representing the burley districts in Congress are well aware of the importance of the proposed amendments, and while the committee held these long hearings, my recollection is that there was only one dissenting vote when the matter was considered by the full committee, and that was the dissenting vote of the gentleman from Tennessee [Mr. Bass] who demanded a second a moment ago and who will, of course, control one-half of the time.

The amendments proposed are 4 or 5 in number, all of which strengthen the program and make it more likely that we will be able to keep supply in line with reasonable consumer demand.

One amendment provides for an increase in the penalty which will be paid by any farmer who grows tobacco beyond his acreage allotment. It increases the penalty from 50 percent to 75 percent of the price received for this crop in the year immediately preceding.

Another very desirable amendment will take away the right of any farmer to secure an acreage allotment merely by violating the acreage allotments which were issued by the Department of Agriculture. Heretofore if a farmer grew tobacco beyond the quota or without a quota for a certain period of time he was then given an acreage allotment and a marketing quota. In that way a considerable amount of tobacco has been grown by farmers who were willing to pay the penalty in order to secure increased acreage. Now we take away by these amendments the right to acquire allotments in that manner.

There were 3 or 4 different bills introduced. Our committee combined all of

them into the bill we are now presenting.

To those who live in areas where flue-cured tobacco is grown, such as in North Carolina and other parts of the United States, all of us fully realize the importance of this acreage allotment and marketing quota law. Burley tobacco is used in the manufacture of cigarettes along with flue-cured tobacco. If this burley-tobacco program fails and is finally abandoned, it will be only a short time before the flue-cured program will be definitely in trouble and will also probably be abandoned.

If we should lose the tobacco program under which we have operated for all these years, we will destroy the tobacco farmers of America. They will bury themselves beneath the great surpluses which will be produced. Prices will be demoralized, farm purchasing power will be destroyed, and the impact will be felt in every industrial section of this country.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Mr. Speaker, the gentleman said that the program will be in trouble. In just a few words will he tell us how or why? I do not understand.

Mr. COOLEY. I can tell the gentleman why. Under this program of restricted acreage we have consistently increased the per unit field. That has been done in all of the producing areas of America where basic commodities are produced. We are now producing more cotton per acre, we are producing more wheat per acre, we are producing more tobacco per acre. In that situation the Secretary of Agriculture has not been able under this particular program to reduce the acreage as drastically as the acreage should be reduced.

Here is the reason: In this law we have now a minimum acreage allotment. It is seven-tenths of an acre, which means any producer who is growing less than seven-tenths of an acre of burley tobacco cannot have his acreage reduced at all. Under the law which we are proposing, the Secretary of Agriculture could in 1955 reduce the man with seven-tenths of an acre by one-tenth of an acre and in 1956 by another one-tenth of an acre.

Burley tobacco is grown by thousands of little farmers. When you have a minimum acreage allotment and many, many little farmers, it is difficult to make the necessary adjustments. We do not have that minimum acreage allotment in our flue-cured tobacco law.

Mr. HOFFMAN of Michigan. One other question. Assuming that the postal employees both smoke and chew a fair amount of tobacco, will not our action just taken in the House which denied them an increase in compensation interfere some with the sale of tobacco?

Mr. COOLEY. I doubt that that will result in much of a decrease in the consumption of tobacco.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman said that the Secretary of Agriculture favors extension of this legislation. Does he also favor the amendments that the gentleman proposes?

Mr. COOLEY. He actually proposed the amendments himself and brought this situation to our attention. In other words, the supply of burley tobacco now is too large. We believe that the farmers are willing to take the necessary reduction in acreage. But in this bill we provide that after the Secretary redetermines the situation in the light of present stocks on hand and he proclaims a further reduction in acreage, then there is provided another referendum in which the farmers will themselves determine whether or not they are willing to take the acreage-allotment reduction.

Mr. MORANO. Does he favor the penalties that you have proposed?

Mr. COOLEY. Yes. He favors every provision that we have in this bill.

Mr. MORANO. Is there anything in the bill in regard to shade-grown tobacco?

Mr. COOLEY. No; nothing at all.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from North Carolina.

Mr. JONAS. Will the gentleman explain, please, the graduated scale of reduction? You have stated the seven-tenths percent business. Now, how does it come about? Is it on an ascending scale?

Mr. COOLEY. No. Anyone above seven-tenths percent will be forced to take the necessary reduction, whatever it might be, whether it is 10, 15, or 25 percent, but the man who is already on a minimum allotment cannot be reduced at all, and he will not be reduced at all unless two-thirds of the farmers in the referendum approve the Secretary's recommendation. This is an important bill. It should be enacted immediately. The situation is urgent. There is no controversy about any section of this bill other than the section which authorizes the Secretary to reduce the minimum acreage allotment one-tenth of 1 acre for 1955 and an additional one-tenth of an acre in 1956. Even if this is authorized and the farmers voting in the referendum approve, the general reduction will be uniform. If the farmers reject the further reduction of one-tenth of an acre, the production of burley tobacco will not be under control and the producers of burley tobacco will not have the benefit of a price-support program. In this event, the end of all tobacco programs will be near at hand. I have every reason to believe that the producers of tobacco want to market their tobacco profitably and that if they do not have acreage allotments and marketing quotas, the price will probably drop from 50 cents to 15 cents a pound. All tobacco growers are little growers. Even an individual with a rather large allotment cannot cultivate and harvest it himself. Tobacco growers with large allotments have tenant families depend-

ing upon the allotment, so we are all in this program together. If the program fails, we will all suffer. Planting is now at hand and I hope that you will vote to suspend the rules and pass this bill.

Mr. BASS of Tennessee. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. BURNSIDE].

(Mr. BURNSIDE asked and was given permission to revise and extend his remarks.)

Mr. BURNSIDE. Mr. Speaker, I agree largely with what the gentleman from North Carolina had to say. The major difference is in one respect, and that is cutting this acreage from seven-tenths in 2 years to five-tenths. We have just taken a two-tenths cut in the last 2 years, so that is 44.4 percent cut for these little farmers, which is a higher ratio than many others have had. I want to give you some figures.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BURNSIDE. I yield to the gentleman from Iowa.

Mr. GROSS. Then, this falls heaviest on the little farmer.

Mr. BURNSIDE. It is falling very heavily from the seven-tenths to the five-tenths, exactly, the ones that certainly are not able to withstand this cut. You are actually—and I means this in all seriousness, Members of the House—you are taking the shoes off the feet and the clothes off the backs of my small mountaineer farmers. You are doing the same thing in the mountains of North Carolina, may I say to Mr. COOLEY, and you are doing the same thing in Kentucky, as Mr. PERKINS will tell you, and you are doing the same thing that the Congressmen from Virginia can tell you about. Why is that true? You have 207,100 allotments or 64 percent of the allotments in that seven-tenths class. They produce just 30 percent of the tobacco. You have all the others, which is less than one-third, that produce 70 percent of the tobacco in the United States. So, you see where it falls. You have some farmers down in Georgia that are affected the same way by this. Ninety-odd percent of the burley tobacco farmers in Georgia produce less than seven-tenths of an acre.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. BURNSIDE. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Would not this legislation hurt the little tobacco farmers?

Mr. BURNSIDE. Yes, because they have taken a 44.4-percent cut in the last 4 years in this legislation.

Mr. GAVIN. How much of the acreage is held by the big tobacco producers? I believe the gentleman said 70 percent.

Mr. BURNSIDE. Seventy percent is held by the larger producers.

Mr. GAVIN. Then, this legislation proposes to cut back next year one-tenth and the following year one-tenth more.

Mr. BURNSIDE. That is right, and anybody knows that that is about the same size as the small city lot you are allowing these little mountaineer farmers, and they cannot possibly raise

enough for their cash crop. Five-tenths of an acre would only net them about \$300. May I ask you religious people here, do you want to force them into making moonshine? That is the only thing you are leaving them. Do not, for goodness sake, cut the very shoes off the feet of these people.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, why is the bill brought in under suspension of the rules?

Mr. BURNSIDE. That is what I would like to know. They do not even have the committee testimony printed. It is not even available so that we can look at it for information. The county committee teams are out checking with the farmers now. The Agricultural Committee does not even have a report back from the county committees who are checking the farmers. If this had been done straightforwardly, I could go along with the suspension of the rules, but it was not.

Now, I want to be sure you take this thought home. The eight-State tobacco committee, which represents the heaviest producing States, did not include this cut in their recommendations.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. BURNSIDE. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. I always have a very deeply sympathetic attitude toward the small producer and the small farmer. We hear so much talk about helping the small farmer. But the gentleman says that the proposed legislation definitely will not help the small farmer?

Mr. BURNSIDE. It definitely will not help the small farmer because he would be cut in 4 years from nine-tenths down to five-tenths and his income to about \$300 net per year. These farmers do not want to go on relief, but this bill, if passed, will force many of the West Virginia farmers to go on relief.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BURNSIDE. I yield.

Mr. HOFFMAN of Michigan. I thought from what I heard a couple of weeks ago that the gentleman's party was all for the little fellow. This bill just cuts the little fellow's throat if he is growing tobacco, is that right?

Mr. BURNSIDE. Exactly.

Mr. HOFFMAN of Michigan. Why the change in attitude?

Mr. BURNSIDE. There is a combination that is working to hurt the little farmer. It happens to be on both sides. For instance, the Secretary of Agriculture happens to be a multimillionaire farmer and he is not interested in the small farmer.

Mr. Speaker, I notice from figures supplied me by the Department of Agriculture that there were 4,340 tobacco allotments within the State of West Virginia in 1954. These allotments covered a total of 3,200 acres, so that the average size of each allotment in West Virginia is just barely seven-tenths of an acre, the current minimum. I also notice in checking the 1955 Burley acreage allotments that there are 40 farmers in the United States who produce more tobacco

than is produced in the entire State of West Virginia. I notice that there are 10 farmers who produce more than one-third of the entire acreage of the State of West Virginia. I also notice that there are 400 farmers who are producing over 20 to 50 acres which, Mr. Chairman, would run many times the allotments in the State of Ohio and in the State of West Virginia put together. While I do not have the exact figure, nearly all of these allotments are situated in my district. I estimate that 95 percent of all the tobacco grown in West Virginia is grown by Fourth District farmers. Quite naturally, therefore, I have always been very much interested in our tobacco program. I have constantly discussed it for many years with producers in the district, and I feel that I can speak with some first-hand knowledge of their ideas on the subject.

Today, needless to say, the producers in my district like those everywhere are concerned about the growing tobacco surplus. That, of course, is the primary cause of this hearing. It is apparent that steps must be taken to remedy the present unhealthy situation, which many farmers feel is due to both increased production per acre, and reduced demand. This committee has already heard, in considerable detail, the various plans which have been put forth to solve present difficulties. I will not burden the committee by going into detail as to these proposals.

West Virginia producers have endorsed the legislative recommendations of the Eight State Burley Tobacco Committee, which were presented to the Agriculture Subcommittee by Mr. Clayton Stanley, of the West Virginia Farm Bureau. I shall not repeat these recommendations at this time, but would like to insert them in the RECORD:

EIGHT STATE BURLEY TOBACCO
COMMITTEE,

Lexington, Ky., February 19, 1955.

HON. EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D. C.

DEAR MR. SECRETARY: The Eight State Burley Tobacco Committee recommends that you publish forthwith in the Federal Register notice of your consideration of making those amendments in the burley and flue cured tobacco marketing quota regulations for the 1955-56 marketing year which are hereinafter set forth. We recognize that some divergence of view might conceivably arise concerning these recommendations, but, of course, the hearing to be held upon your notice will afford all interested persons an adequate opportunity to express their views with respect to the proposed amendments.

For the reasons hereinafter set forth, the Eight State Burley Tobacco Committee and its legal advisory committee recommends that the burley and flue cured tobacco marketing quota regulations, 1955-56 marketing year, be amended as follows:

"(1) Delete paragraphs (a) and (b) of section 725.616.

"(2) Delete paragraphs (c), (d), and (e) of section 725.616 and insert in lieu thereof the following:

"Section 725.616 (a): If no 1954 allotment was established for the farm, the community and county committees shall establish a preliminary allotment for the farm on the basis of the past acreage of tobacco, making due allowance for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor, and equipment

available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The preliminary allotment established under this section shall not be larger than the smaller of (1) the average acreage of tobacco harvested on the farm in the years 1940-54, or (2) the acreage obtained by multiplying the farm's average acreage for the 5 years 1950-54 by the ratio of the farm's actual yield to the 1954 county average yield. *Provided, further, that such preliminary allotment shall not exceed the smallest of (1) the acreage indicated by cropland, (2) 20 percent of the acreage of cropland on the farm in the case of flue-cured tobacco, or (3) the acreage capacity of curing barns located on the farm and suitable for curing tobacco, which in the case of flue-cured tobacco shall be 3.5 acres per barn."*

REASONS AND NEED FOR AMENDING SECTION
725.616

Excessive stocks of burley tobacco have resulted in large measure from the production of nonallotment tobacco. In the past 8 years, excess acreage planted on nonallotment farms and on excess farms has totaled 54,999 acres with 10,274 acres of this total being accounted for in 1954. Prior to 1947 excess and nonallotment acreage was relatively insignificant, but since then annual totals have climbed at an alarming rate. The full impact of excess acreage upon the quota program is not apparent until one considers the cumulative allotments acquired during this 8-year period through the means of excess production. It is conservatively estimated that in the 8 years last past allotments of more than 70,000 acres have been acquired through excess production. An analysis quickly disclosed the reasons why this trend commenced in 1947 and also the cause for its significant acceleration in quantity. Prior to the 1947 crop, the Agricultural Adjustment Act of 1938 was correctly construed to mean that a preliminary acreage allotment shall be the same as the acreage allotment for the preceding year for all farms having had an allotment in the preceding year. For the first time in the regulations published for the 1947 crop, it was provided that if no allotment was established for the preceding year, then the preliminary allotment would be the average acreage of tobacco harvested on the farm in each of the 5 preceding years. Furthermore, for the 1947 crop the regulations provided for the first time that if harvested acreage in the 3 preceding years exceeded the preceding years allotment by more than 10 percent that the preliminary allotment for the current year would be increased by one-third of the number of acres by which the 3 year average acreage exceeded the preceding years allotment. For the 1948 crop, it was specifically provided that if no allotment existed in 1947, the preliminary allotment would be one-fifth of the 1947 harvest, and it was further provided that if the harvest exceeded 10 percent of the allotment the preliminary 1948 allotment should be increased by one-fifth of the number of excess acres harvested in 1947. A similar provision appeared in the regulations for the 1948 crop and the 1950 crop. For the 1951 crop, the regulations were phrased as follows: "If no 1950 allotment was established for the farm, the preliminary allotment shall be the smaller of (1) the average acreage of tobacco harvested on the farm in the 5 years 1946-50, or (2) the acreage obtained by multiplying the farm's average acreage for the 5 years 1946-50 by the ratio of the farm's actual yield to the 1949 county average yield: *Provided, that such preliminary allotment shall not be less than 0.1 acre. "If the acreage of tobacco harvested on the farm in 1950 exceeded the 1950 allotment by more than 10 percent, the preliminary allotment shall be the 1950 allotment plus the smaller of (1) one-fifth of the excess acreage, or (2)*

the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1949 county average yield." In each of the subsequent years, the regulation has followed the phraseology of that governing the 1951 crop. Between March 31, 1944 and October 17, 1951, the Congress did not amend 7 U. S. C. A. 1313 in any form or manner whatsoever. There can, therefore, be no justification whatsoever in the status itself for the change in interpretation of the Agricultural Adjustment Act which occurred on September 13, 1946, when the regulations for the 1947 crop were filed for publication in the Federal Register.

It would be difficult and unprofitable to compare the regulations for the 1938, 1939, and 1940 crop years with the current regulations. In 1938 and in 1939 quotas were promulgated on a poundage basis. On August 7, 1939, the act was amended to provide for quotas on an acreage basis and the first regulation promulgated thereunder, dealing with the 1940 crop, dealt largely with the problem presented by the conversion to a new allotment system. Beginning with the 1941 crop, however, regulations began to take on the form with which we are currently familiar, but at that time the Agricultural Act of 1938 was correctly construed. For the 1941 crop, the regulations did not authorize or require any increase in allotment by reason of nonquota production in 1940. On the other hand, the regulations said:

"Acreage allotments for old tobacco farms: The farm-acreage allotment for an old farm shall be the 1940 acreage allotment for the farm provided that (1) the 1941 acreage allotment shall be the 1939 allotment if the 1939 allotment was five-tenths acre or less and the allotment was reduced in 1940; or (2) the 1941 acreage allotment shall be five-tenths acre if the 1939 allotment was in excess of five-tenths acre and the allotment was reduced in 1940 to less than five-tenths acre." In a subsequent section, the same regulations set aside not in excess of 1 percent of the 1940 acreage allotment for the making of equitable adjustments, but here it was specifically provided: "In no event shall the adjustment of the acreage allotment to any farm be more than 10 percent of the 1940 allotment for the farm, or, if greater, five-tenths of an acre; provided that in the case of any farm on which tobacco was harvested in 1940 for which no acreage allotment was established the committee may establish an allotment not exceeding five-tenths of an acre."

The regulations covering the 1942 crop and the 1943 crop were similar in language.

For the 1944 crop, it was again provided that preliminary acreage allotments would be based on the preceding year's quota, but the limitations upon equitable increases were revised to read as follows: "Without prior approval of the State committee, the acreage allotted under this section shall not exceed 1 percent of the county acreage allotment for 1940." Similar language appeared in the regulations promulgated for the 1945 and the 1946 crops.

There is no apparent reason for the change in regulations which occurred first with the 1947 crop. Once again let it be noted that between March 31, 1944, and October 17, 1951, the Congress did not amend 7 U. S. C. A. 1313 in any form or manner whatsoever. Furthermore, although section 1313 (g) requires that past acreage be considered in the allocation of allotments, the Department itself has recognized that this consideration of past acreage need not be a part of the formula for determining preliminary allotments, but only one of any factors to be considered in adjusting preliminary allotments in the interest of fairness and equity. Finally, 7 U. S. C. A. 1313 (a) can be construed to absolutely prohibit automatic increases in allotments through the production of excess acreage.

On June 13, 1940, title 7, United States Code, Annotated, section 1313 (a) was reworded in many respects. One of the principal modifications was designed to impose particular requirements for the 3 marketing years, 1941-42 to 1943-44, but the phraseology of 1313 (a) as reworded does not necessarily restrict the applicability of all of the new phases to those 3 marketing years. The following particularly can be construed either as applicable only to the 3 marketing years in question or to every marketing year: The statute says that except for farms on which no tobacco was produced in the last 5 years "the farm acreage allotment * * * shall be determined by increasing or decreasing the farm acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such marketing quota is increased or decreased."

To avoid any misunderstanding about this issue, it is well to read all of the applicable language of section 1313 (a). The 1940 revision reads as follows: "Notwithstanding any other provision of this section and section 312 (sec. 1312 of this title), except the provisions in subsection (g) of this section relating to reduction of allotments, for any of the 3 marketing years, 1941-42 to 1943-44, in which a national marketing quota is in effect for burley or flue-cured tobacco, such national marketing quota shall not be reduced below the 1940-41 national marketing quota by more than 10 percent and the farm acreage allotments (other than allotments established in each year under subsection (g) of this section for farms on which no tobacco was produced in the last 5 years) shall be determined by increasing or decreasing the farm acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such national marketing quota is increased or decreased above or below the last preceding national marketing quota." We respectfully submit that the quoted language of section 1313 (a) can be read as being applicable, not only to the 3-year period, but as to all years in the provision that a grower having an allotment cannot possibly increase his allotment by excessive production since allotments on all old farms shall be based on allotments granted for the preceding year.

If our construction of 1313 (a) is correct, the rules should be written in the regulations like this: If a grower does not have an allotment and raises nonquota tobacco, he becomes entitled under the statute to an allotment based in part on his past marketing of tobacco, but this allotment must be derived from the allotment for new farms to be made by the Secretary out of a reserve set aside for this purpose of "not in excess of 5 percent of the national marketing quota." After a grower obtains his first allotment, then he absolutely cannot under 7 U. S. C. A. 1313 increase that allotment by excessive production. In other words, a grower can obtain an allotment originally by excess production but the Secretary of Agriculture does not have the authority to increase an allotment once granted by reason of excessive production. The word "shall" is used in the sentence. It reads: "The farm acreage allotment * * * shall be determined by increasing or decreasing the farm acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such national marketing quota is increased or decreased above or below the last preceding national marketing quota."

If we are in error in our construction of section 1313 (a) the fact, nevertheless, remains clear that the statute does not compel the Secretary of Agriculture to grant an allotment based on excess production during the preceding 5 years. Recognition of this fact is implicit in the regulations published by the Secretary of Agriculture for the years

prior to 1947. The 1940 amendments if limited to the years through the 1943 crop year certainly did not compel the Secretary to publish the regulations for the 1944, 1945, and 1946 crops which did not give the grower an additional allotment by reason of excessive production.

Section 725.616 (c) of the present regulations grant allotments based on nonquota production when no 1954 allotment was established for the farm. Section 725.616 (d) grants an increase in allotment for excessive production on farms having a 1954 allotment. Our proposed amendment repeals subsection (c) and (d) so that no longer will it be possible to get automatically a substantial allotment based on excessive production. Instead, it is proposed that if no 1954 allotment was established, then all of the statutory factors shall be considered in granting an allotment for 1955. Furthermore, it is provided that if a 1954 allotment existed, then no increase shall be obtained by reason of excess production in 1954. This was the practice in each of the years 1944, 1945 and 1946 and we are unable to perceive any reason why this most reasonable construction of the statute should not be restored. Subsection (e) has not been eliminated or revised, but consolidated with subsection (c) as reworded in the proposed amendment.

AN ADDITIONAL RECOMMENDATION

As the Court of Appeals for the Second Circuit pointed out in *Jerry Rossman Corp. v. Comm.* (175 F. (2d) 711, 37 R. F. T. R. 112), there are "penalties" and "penalties." Some penalties may be allowed as income-tax deductions while others will not qualify. A very general and perhaps somewhat inaccurate statement of the rules is that a penalty payment is deductible if its allowance does not frustrate the public policy of the statute imposing it.

Curiously, there does not appear to have been any decision upon the issue of whether or not a penalty imposed by title 7, United States Code Annotated, section 1314, may be deducted in the computation of an individual's income tax. Practically speaking, the internal revenue service for the State of Kentucky has rather consistently allowed the deduction of these penalties. This has been true even in fraud cases. We recommend that the Secretary of Agriculture request the Commissioner of Internal Revenue to promulgate a regulation to the effect that penalties imposed by title 7, United States Code Annotated, section 1314, are designed to implement public policy and, therefore, may not be allowed when paid as income-tax deductions. Many of those who are today raising excess tobacco are persons in the higher tax brackets. If a farmer is in a 50 percent bracket then the allowance of the penalty as an income-tax deduction reduces the effectiveness of the penalty in half. If the penalty, on the other hand, cannot be taken as a deduction, then as far as a 50-percent bracket income taxpayer is concerned, a 50-percent nondeductible penalty is the actual equivalent of a 100-percent penalty.

Publication of the recommended regulation by the Commissioner of Internal Revenue would increase the effectiveness of the penalties provided by title 7, United States Code Annotated, section 1314. Accordingly, we recommend that the Secretary of Agriculture make such a request of the Commissioner of Internal Revenue.

This committee further recommends that the regulations provide that two employees of the county office work together in measuring and reporting tobacco acreage.

Respectfully submitted.

EIGHT STATE BURLEY TOBACCO
COMMITTEE,
JOHN M. BERRY, Chairman.

I endorse Mr. Stanley's statement before the subcommittee of the Agricultural

ture Committee, and I am sure that he represents the opinion of tobacco growers in my district and the country at large.

I believe that the proposals which Mr. Stanley set out would, if adopted, adjust our tobacco program to allow for increased production per acre made possible by improved methods. I would not discourage use of these methods which everyone has worked so hard to develop. I would not discourage the Department of Agriculture in its program to improve the production methods of American farmers. I am sure that no member of this committee would recommend a program which would reverse the trend of modern agriculture. Likewise, in our efforts to cope with the current situation, there is danger in going too far in reduction of minimum acreage allotments, so as to put many small West Virginia farmers on relief. Unfortunately, Mr. Speaker, we have about 237,000 people on relief in West Virginia already, and I am quite worried about the additional numbers who may be forced on relief in this tobacco program.

We have small valleys in between the mountains, and this small acreage lends itself very well to keep these small farmers occupied, producing some food and clothing. Really, Mr. Speaker, if we were to cut the seven-tenth minimum acreage, we would have to find shoes for a number of these mountaineer children. It is pretty hard, getting up early in the morning, at 6 or 7 o'clock in the morning, to catch a bus out to school without the proper shoes and clothing to wear. I mean that in all seriousness, because I have seen the problem. I have seen them in the schools.

It is indeed a serious problem, especially, Mr. Speaker, when we consider that 40 tobacco farmers produce more acreage than the entire State of West Virginia; that 10 farmers produce more than one-third of the entire acreage of the State of West Virginia's 4,460 farmers; and that 400 farmers produce approximately the entire acreage of the States of West Virginia and Ohio combined.

The farmers of West Virginia definitely do not want a reduction in the present .7-acre minimum. If this minimum is cut, many producers in my district will be entirely eliminated. The only persons left to produce tobacco in that event will be the large producers in other States. An important source of income to West Virginia's small farmers will then be lost. Equally important, a needed source of West Virginia State income will be eliminated. Burley tobacco is one of the few crops which can be grown profitably on the typically small acreage available down in the valley between the mountains.

A rather small crop of burley is often the backbone of an entire farming family, and this is exaggerated, Mr. Speaker, by the fact that so many are now out of work in our State. About 14 percent of the entire population in West Virginia is out of work. Last year we lost 2.9 percent of our entire population. Indeed, these are disaster figures, Mr. Speaker. A rather small plot of burley is often the backbone of an entire farm-

ing operation. If it is lost, the entire farm may become unprofitable. In light of the very disturbing economic situation in West Virginia today, any reduction in allotment minimums, small though it may appear to us, will have serious consequences throughout the State.

Mr. Speaker, let us go back just a moment and look at the history of the tobacco production in my State of West Virginia. In 1919 we had 11,400 acres. In 1923, we had 10,800 acres. Today, the West Virginia farmers have cooperated and taken cuts. They have gone voluntarily into this program and have taken cuts down to 3,200 acres. We maintain, Mr. Speaker, that these small farmers have done more than their share in taking cuts in the very small acreage.

I know the same thing is true in Ohio, and I know the mountain farmers over in Tennessee, and the mountain farmers over in North Carolina have taken their fair share of cuts. I am speaking especially of the mountain people, with their little narrow valleys to work.

Whereas some States and some farmers have gone up in production—if you will check them back to 1919 and go through the years, you will find that some have gone up in production—many other States have taken cuts in production. We have taken nearly a 75-percent cut in our entire acreage allotments in those years, 1919 to 1955, and we have taken it from people who can ill afford to take these cuts.

Mr. Speaker, you may think back to one other thing which I believe we ought to take seriously into consideration here. It is true that formerly a large number of farms, that is 207,100 farms, or 64 percent of the farms, had only 110,840 acres; but today we find that there are 80,000 farms having 224,000 acres. That shows that a large percentage of the acres are in the category above 1.2 acres.

Therefore, gentlemen, I strongly urge you to consider these effects of a reduction in the present 0.7-acre minimum. In considering legislation in this field, I ask you to employ those suggestions contained in the eight-State committee recommendation and also to reject any reduction in the minimum acreage allotments.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute just to answer the question why this bill is brought in under suspension of the rules and why it is urgently needed. We are now arriving at the time when tobacco farmers will soon be planting or transplanting tobacco. This matter was brought to our attention. I might say to my friend the gentleman from Michigan [Mr. HOFFMAN] and my friend the gentleman from Iowa [Mr. GROSS] by Mr. Benson, the Secretary of Agriculture, who has recommended these amendments.

The gentleman from West Virginia [Mr. BURNSIDE] talked about the little farmer, saying that we are trying to take the clothes off his back. That just is not the fact. I think everybody knows that the House Committee on Agriculture has been just as considerate and as reasonable as possible in taking care of small growers.

Another thing: The gentleman cries about the tobacco farmers of West Virginia. They have the same kind of tobacco farmers in North Carolina and in all the other burley-growing areas. But if we follow the gentleman's advice and vote this program down, all the tobacco farmers in every tobacco area in America will be faced with bankruptcy, because they will produce in such great abundance they will destroy the price, and all of them will come to grief.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-one Members are present, not a quorum.

Mr. COOLEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 24]

Baker	Christopher	Jones, Mo.
Bell	Dawson, Ill.	McIntire
Bolton,	Eberharter	Moulder
Oliver P.	Engle	Reece, Tenn.
Canfield	Flood	Rivers
Chiperfield	Hinshaw	Velde

The SPEAKER. On this rollcall 417 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. BASS of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Speaker, I take this time because, while I do not wish to disagree with the great Committee on Agriculture of the House and have the highest esteem for the chairman and ranking member and all members of the committee, I must say that this bill gives me some concern. I know that over the years the tobacco program has been highly successful, but I am apprehensive that the committee has undertaken to write a bill based upon the recommendations of the President and the Secretary of Agriculture, rather than the small tobacco farmers of the Nation.

This bill tends to favor the big tobacco growers. There are more than 2,500 such big producers of the Nation with tobacco bases in excess of 10 acres. Why cut further the little 1-acre-or-less tobacco grower? They have been cut enough already. I say let us call a halt here.

Over the years we know that the Tobacco Branch of the Agriculture Department has reduced and continued to reduce the tobacco acreage of the little tobacco farmers. It seems to me they are now trying to secure legislative authority or sanction for their actions for other possible reductions. The answer to this problem must be found in some other solution.

I note by the report it is stated that over the years certain farmers have gladly paid the penalty for overproduction with a view of building up their historic allotments for a greater tobacco acreage base. So that now should a cut

be authorized those who have paid the penalty will not suffer as much as those who have not overproduced and who have not had to pay the penalty. Why is it necessary to have authority at this time to reduce further the tobacco acreage allotment to the farmers of the Nation? Why not give them an increase? Why cut the little tobacco farmer any further?

Mr. COOLEY. You would just add to the problem. If you increase the acreage, you would increase the poundage.

Mr. EVINS. Does not the gentleman admit certain tobacco farmers have been paying a penalty and have not minded doing so because it has tended to build up a larger allotment for them over the years and in that sense the proposal now before us favors the large tobacco farmer?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BASS of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. HOPE], the ranking minority member of the Committee on Agriculture.

[Mr. HOPE addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. BASS of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I have asked for these 2 minutes in order to call the attention of my colleagues to the fact that the intent of the pending suspension is just another modified form of imposing the gag rule. The legislative situation facing us now is the same as the situation that faced us a half-hour ago when we roundly defeated the suspension of the rules on the postal pay-increase bill. There is no more ground for imposing this modified gag rule on the House by the passage of the suspension of the rules motion now than there was at that time.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Does the gentleman think that there is any reason why the House should be consistent from, say, 12 o'clock to 3 o'clock? Why should we be consistent about it? Have we ever been?

Mr. BAILEY. I guess the gentleman is correct.

Mr. Speaker, may I add this one thought? I have no burley tobacco acreage in my district, but my colleague, the gentleman from West Virginia [Mr. BURNSIDE], along the Kentucky border, has quite a considerable number of growers of burley tobacco. I remember my first trip to the Congress, back in 1945, when John Flanagan, of Virginia, was chairman of the Committee on Agriculture. We had this same argument about the allocation of acreage to burley tobacco growers in southern West Virginia. They have been discriminated against, and now you are proposing to give the Secretary of Agriculture the right to cut their acreage for the next 2 years again. There is such a thing as being consist-

ent. I remember some of the gentlemen who are proposing to give the Secretary of Agriculture the right to cut the acreage of burley tobacco that are against giving him the right to reduce 90 percent of parity on wheat. So, I would like for some of the gentlemen to be consistent in their position.

I am against the suspension of the House rules in this instance.

Mr. COOLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, the Department of Agriculture came before our committee and told us in detail as to the situation that burley tobacco was facing at the present time. They said that in the course of the next 2 years we would have to cut burley tobacco production 50 percent. He came forward with a group of recommendations to effectuate that cut in the best possible method over a period of 2 years. He asked for authority to take a further look at the quota this year with the idea of making a cut of 25 percent this year. This bill embodies every recommendation of the Department of Agriculture. It came out of our committee with an almost unanimous vote. There are about 6 or 7 provisions in this bill, and they have all been agreed to by everybody, with the exception of 1, and I want to address my remarks to that provision.

The provision in the bill that is in controversy is the minimum acreage provision. Under the present law, we have a minimum acreage provision of seven-tenths of an acre. No matter how much tobacco may be cut, they cannot cut that seven-tenths. The average burley tobacco base is only 1.1 acres. So we have a situation today where we have a minimum acreage of seven-tenths and an average base of 1.1. With a 50 percent cut in the offering, you can readily see, that with 64 percent of our bases protected there are only 36 percent that can be cut. This condition requires some change in the minimum provision.

Let us look at the bases, and see who has taken the cuts in prior years. In 1946 the tobacco growers took a 10 percent cut. In 1947 they took a 19.4 percent cut. In 1948 they took a 2.2 percent cut. In 1950 they took a 15 percent cut. In 1953 they took a 10 percent cut. In 1954 they took an 8 percent cut. That is a total of about 70 percent and during this entire period the grower with seven-tenths of an acre took no cut.

Let us see who holds these tobacco bases that they are talking about, and I think I can convince the House that it is necessary to make some modification of the minimum provision.

Listen to this. Bases under five-tenths of an acre amount to 31.26 percent of the total. Bases of seven-tenths of an acre or under amount to 64 percent. Bases of 1½ acres and down—and mind you that is a small base—come to 81.57 percent of all the bases. Bases of 2½ acres or under represent 90.23 percent. Bases of 5 acres or under represent 96.72 percent of all the bases. Bases of 10 acres or more represent seven-tenths of 1 percent of all the bases.

The tobacco grower with a 1½-acre base, under a statement made by the Secretary of Agriculture, is going to be cut from 1½ acres to seven-tenths of an acre in the next 2 years. All we are asking in this bill is that while the 1½-acre man is being cut half in 2, while the 2-acre man is being cut in half in 2, that the fellow with seven-tenths of an acre take a one-tenth of an acre cut and bear some small part of the load of saving this program.

It is not often that you see a group representing a commodity come before the Congress and ask to be cut, but they realize they must keep supply and demand in line. That is what this bill is intended to do.

The reason this bill is brought up in such a hurry, the reason the bill is brought up under a suspension of the rules, is that it also carries in it a provision that when it is passed it is going to be sent back to all of the burley growers, little, big, or indifferent, and there will be a referendum to be held not later than May 1. The burley growers by a 66⅔-percent vote must indicate their desire, whether they want to accept this or not.

There is nothing wrong in letting it go back to the people who are going to be affected, to let them pass on it for what it is worth. That is what this bill provides, that it will be sent back to those growers who are going to be affected by it, and they will have the final say.

The Department of Agriculture said it would take 30 days to have that referendum. Planting time is about the 1st of May, so we could not wait to take the orderly processes. If we are going to do anything about it we have to do it now.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from North Carolina.

Mr. COOLEY. I should like to draw the attention of the House to the fact that the gentleman's subcommittee held joint sessions with the Senate subcommittee during the consideration of this measure.

Mr. WATTS. That is right. The same bill has been unanimously approved by the Senate Committee on Agriculture.

I urge passage of this legislation.

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 4 legislative days in which to extend their remarks at this point in the RECORD on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS of Tennessee. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I have the honor to represent quite a number of men and families who grow tobacco. Very few, if any of them, grow as much as 5 acres of tobacco. Most of them have, I think, less than 3 acres. The men who grow big acreages, such as 20

acres or more, are located in Missouri or in the bluegrass region of Kentucky. The trouble with this plan of allotment is that, as provided in this bill, it deals with a percentage of acres and not a percent or a poundage basis. One-half of an acre of a cut to a man who has a hundred acres or more or even 15 or 20 acres does not mean much to him, but half an acre to a man who has only an acre means a great deal.

The fault I find with this percentage basis is that it is too great on the little fellow who grows less than an acre. The percentage is not right with him and it is not fair with him. There are tobacco men in the country who have as much as 100 acres of tobacco. Those fellows can lose 10 acres, but our little fellows who have only an acre or half an acre cannot lose these percentages and operate.

In my county I do not have the same class of people as those mentioned by my good friend from West Virginia, who said he has so many poor people. Mine are not so poor. But many a man in my section raises tobacco. He raises an acre or two, and that is the cash money that he gets in the fall of the year when his wife wants money to buy shoes and clothes for the children who go to school and she may save some of it to get Christmas presents for the family. He also uses this money to pay his taxes.

In other words this tobacco crop is a very necessary crop for many fine people in our congressional districts. I think this bill will injure very seriously the small-tobacco growers in my district. Consequently, I am opposed to it. I hope this effort to pass this bill under a suspension of the rules will be defeated today, and that it will be brought up again before the Whole House when we can have a chance to amend the bill.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, I am for this legislation because it is the only fair approach that has been made with respect to our present dilemma brought about by our overproduction of tobacco. Before our present tobacco program was enacted in 1938 our tobacco farmers were absolutely at the mercy of the large tobacco companies. The farmers received from the buyers of the companies on the floors of the tobacco warehouses just about what the companies wanted to pay and no more. The reason the big companies offered such pitifully low prices for the crop was chiefly because of overproduction.

With the adoption of the present tobacco program the Secretary of Agriculture was empowered to determine stocks of tobacco on hand, balance same with the public requirement and, in addition, to provide for reasonable reserve. A quota system pertaining to the acreage was inaugurated and the farmers were called upon to vote upon the plan and as to whether or not they would voluntarily place themselves under the quota restrictions set up by the Department of Agriculture. With the one exception of the year 1939, the tobacco farmers have voted overwhelmingly in favor of quotas and have cooperated to the fullest

extent, making the tobacco program the great success that it has been up to now. As a result, production and demand—up until recently at least—have been adequately met and the tobacco farmer, large and small, has profited tremendously by this splendid legislation.

While the Federal Government does have the support program for the tobacco at 90 percent of parity, nevertheless, this is one program that the Government has supported which has not cost the taxpayers of the Nation a red cent. What's more, the program has been such a huge success that actually a profit has gone into the United States Treasury.

As we all know, during the war years the Department of Agriculture implored the farmers to increase their production. This was not only true from the standpoint of wheat, corn, and other edible grain but it also included a demand for increased production of tobacco and all other crops. There was a shortage of tobacco during World War II just as there was a shortage of everything else and, as a result, cigarettes were rationed. As a result of the constant pressure being exerted on the farmers of America to go all-out in production it has therefore been rather difficult during the transition period from war to peace to reduce the production of the various crops. It is because of this great difficulty to change over or to reduce production that the tobacco program has gotten into trouble. The Department of Agriculture tells us that we are at the present time in a desperate condition. They have pointed out that there is today over 3½ years of tobacco supply on hand when the normal danger signal is approximately 2 years surplus tobacco crop. They have indicated that drastic changes in the program must be inaugurated forthwith if the program is to survive. The legislation that is here before us today on the floor is the result of long, hard work on the part of the Joint Tobacco Committee of the House and Senate. They have been holding hearings for many, many days. They have heard from the experts in the Department of Agriculture; they have heard the growers; the warehousemen; and all other interested parties and it is the general belief that this legislation to increase the tax on tobacco raised over the legal acreage allowance from 50 percent to 75 percent, and for the enactment of the other provisions contained herein, are absolute "musts." I appeared before the joint committee of the House and Senate and submitted to them a petition containing the names of some 600 Barren County farmers who urged that great committee to increase the tax on tobacco that was raised illegally or on the red card. Another petition that was submitted to me by the farmers of the great county of Larue stated:

We the undersigned are in favor of increased tax on excess tobacco above allotments.

Mr. Speaker, I have many letters and telegrams from not only the presidents of several county farm bureaus within my district, but also letters from leading citizens, bankers, and farmers who are

growers of burley tobacco urging me, as their Representative, to petition this Congress to increase the tax on excess tobacco from 50 percent to as high as even 90 percent, and to do everything else necessary in order to preserve and protect the tobacco program which, Mr. Speaker, is the very economic life-blood of my great people.

I attended the hearings of the joint committee of the House and Senate on Thursday, March 10, 1955, and I was very much impressed by the statement of Mr. Burl S. St. Clair, president of the Kentucky Farm Bureau Federation, when he said among other things:

We favor legislation for the reduction of acreage allotments on a basis that would apply to all growers alike.

This policy conforms with a telegram to me, dated January 14, 1955, from Mr. Ben F. Newman, Nelson County Farm Bureau president, in which he suggests changing "allotment decimals from tenths to hundreds of an acre so all allotments would be cut at uniform rates."

Mr. Speaker, among the many communications that I have received I have one from the Woodford County Farm Bureau and also a letter from Mr. Owen Rouse, chairman of the ASC committee, which state, among other things, "national increases and reductions should apply to all tobacco farms." They also are in favor of an increased tax on excess tobacco, and they have stated that it should go from 50 percent to at least 75 percent and that the so-called red card ought to be publicized on the tobacco warehouse floors. I have a wire from Mr. Earl Butcher, president of the Lincoln County Farm Bureau at Stanford, Ky., under date of March 5, 1955, which urges that the present penalty be increased to 75 percent and recommends that "any cut in acreage be across the board." A telegram from the Shelby County Farm Bureau, signed by the president, Mr. G. N. Buses, Jr., and dated March 5, 1955, states among other recommendations:

We wish particularly to emphasize the fact that everybody large or small must take future cuts equally if the program is to survive.

Mr. Speaker, I could go on and on and unnecessarily take up the time of the House with many more letters, telegrams, and other forms of communications to me, but I honestly feel that those which I have mentioned quite adequately and fairly represent a real cross section of the sentiment of my people in the great Fourth Congressional District of Kentucky which, together with the Sixth Congressional District—that is so ably represented by the Honorable JOHN C. WATTS—produces about 75 percent of the burley crop of the entire State of Kentucky.

Mr. Speaker, as I have previously stated, our program at the present is in serious trouble. This has been brought about, as we know, by our own overproduction of our fine burley tobacco. Our present situation is somewhat akin to a man bringing on the gout and other dangerous physical disturbances by overeating. When a man overeats his blood pressure goes up and his very life some-

times becomes endangered. A stroke may follow. The doctor tells him to go on a diet or he may conceivably die. The patient may not always like the doctor's advice, but rather than to ruin his health he is more or less prone to comply with the doctor's wishes. No matter how bitter the medicine may be, he will hold his nose and take it if he thinks it will help him. In our present situation we have overproduced to the point where the entire tobacco program is in a very unhealthy state economically. We must either curtail our production or it is entirely possible that we may completely spill our entire economic life-blood which is in the form of our cash crop. We simply cannot continue to overproduce and have our program.

Frankly, Mr. Speaker, I sincerely feel that when the seriousness of the situation is called to the attention of this House, and when they stop to consider that this great tobacco program of ours has not cost the Federal Government a single penny but, rather, has made the Government money, I believe that you will be ready and willing to go along with us representatives of the burley tobacco belt. Sometimes I feel that those of us who are fortunate enough to have been chosen leaders in one field or another are prone to underestimate the American farmer. Thank God I have always found him to be fair, honest, straightforward, highly intelligent, and quite eager to live and let live, give and take the good and the bad.

Mr. Speaker, my good people know that when burley tobacco is in trouble all of Kentucky is in trouble and that, at the moment, the burley tobacco program throughout Kentucky and her seven sister-producing States is in serious trouble. What I think is needed in addition to this legislation is not only to reduce production but to develop within the next few years a high-quality burley leaf. The tobacco farmer, big and little, will make more money in the long run for fewer pounds of a higher quality burley leaf than a larger number of pounds of lower quality burley that is high in nicotine content. Our growers know that the solution to the problem actually lies in the hands of the burley growers themselves; however, this legislation is desperately needed and must be passed today if they are to be able to help themselves.

A crisis in the entire Tobacco Belt gave birth to the program in the first instance; this program has been highly successful, therefore, I know that my growers—large and small—will join with the tobacco growers of all States in an all-out effort to preserve and to protect that which has meant so much to them. Necessity is not only the mother of invention but the father of orderly change for the better. My colleagues, we are in trouble. I beg of you to support this legislation and to help my people; when you do so you will be helping America because when we keep one segment of our people strong we help to keep all America strong. Also the increase in penalties will mean a great deal, a very hard-pressed United States Treasury. We wish we did not have to come to you today with our troubles, but frankly it is

this or nothing. A half loaf beats no loaf. This shot will hurt us, but thank heaven it will not kill us.

Mr. BASS of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, I doubt the advisability of suspending the rules to pass this legislation. There are provisions in H. R. 4951 which I would like to support—necessary provisions for a sound burley tobacco program. I happen to represent approximately 4,000 growers who have bases of seven-tenths of an acre or less. I realize the committee has worked hard in trying to solve a difficult problem, and I wish to compliment them; but the question of the most equitable solution still remains in my mind.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. COOLEY. In North Carolina, we have about 12,000 burley growers and our average acreage is slightly over six-tenths of an acre.

Mr. PERKINS. It gets back to the question of the most equitable solution to solve this problem.

In 1952 there was legislation on this floor, not under a suspension of the rules, which set the minimum acreage at seven-tenths of an acre. I am fearful that if we continue to take away the purchasing power of these small farmers in growing burley tobacco, we will soon force them out of the business. Several counties in eastern Kentucky have a tobacco economy, and the vast majority of the farmers have small tobacco allotments. I feel confident that 99 percent of these small growers want to keep the program.

Mr. Speaker, if I had been afforded the opportunity, I intended to offer an amendment on page 2 by striking out lines 16 to 22 inclusive and inserting: "No burley tobacco farm acreage allotment of seven-tenths of an acre or less shall be reduced under this section"; and also a perfecting amendment on page 3 for the same purpose by striking out line 15 and all that follows through line 3 on page 4.

I have talked to hundreds of these small farmers. They are deeply concerned about the overproduction problem; however, they feel it would be very unfair to reduce the base of these growers who produce only five or six hundred dollars worth of tobacco a year when the total reduction of this group would amount to only 2 percent of the total burley acreage.

I cannot go along with this legislation which proposes to reduce the income of these small farmers whose production has already been cut to a very thin margin. In fact, the great majority of these farmers have no other cash crop and very little cash income except tobacco money.

I have on this date received a telegram from the Morgan County Farm Bureau at West Liberty, Ky., which reads as follows:

The Morgan County Farm Bureau at regular meeting Saturday, March 19, went on record asking you to offer amendment to proposed tobacco bill or bills now before Con-

gress not to cut any tobacco growers with seven-tenths acre or less.

EZRA BACKE,
President, Morgan County Farm
Bureau.

It is my considered opinion that the local farm bureau members, which usually comprise a majority of the larger tobacco producers, understand this problem best. Approximately 50 percent of the tobacco growers in the State of Kentucky have tobacco bases averaging 2.6 acres per farm, comprising more than 81 percent of the State's total burley acreage. This is why I say it would work an extreme hardship if we forced the seven-tenths-of-an-acre farmer or below to take any further cut. So I urge you to vote against the suspension of the rules.

Mr. BASS of Tennessee. Mr. Speaker, I yield myself the remaining time that I have.

The SPEAKER. The gentleman is recognized for 2 minutes.

Mr. BASS of Tennessee. Mr. Speaker, I do not strongly oppose the total content of this bill. I realize that the burley tobacco situation is certainly in a drastic state at this time. I realize we must have some type of legislation to correct the overproduction in the tobacco belt. However, I oppose this measure because of the part of the bill which allows the Secretary of Agriculture to cut the minimum acreage below seven-tenths of an acre. I fear that if we continue to cut the acreage of the small tobacco farmers we will create a social problem that will be hard to handle.

It has been brought out here today that over 64 percent of the tobacco growers in America have an allotment of seven-tenths of an acre or below. Many of these allotments, of course, are below the five-tenths proposed minimum, which this bill includes. I certainly believe that by other measures we can work out the tobacco situation without creating a social problem that this cut in minimum acreage would bring about.

I heartily endorse those parts of the bill which call for the reduction in overproduction of tobacco. I endorse the increased tax on the overproduction of tobacco. I endorse that part of the bill which disallows the establishing of a burley tobacco base by overplanting. I also endorse the measures which bring about strict compliance with the burley-tobacco program. However, I cannot see myself voting for suspension of the rules in this case which will allow the Secretary of Agriculture to reduce the minimum acreage below seven-tenths of an acre.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BASS of Tennessee. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman realizes, of course, that the Secretary of Agriculture cannot reduce that minimum until the proposition has been submitted to the farmers on a referendum, and until two-thirds of the farmers have indicated that they favor that.

Mr. BASS of Tennessee. The gentleman is correct.

Mr. COOLEY. What you are actually doing is permitting the little farmers to

vote to determine whether or not they are willing to accept this reduction.

Mr. BASS of Tennessee. That is right but I oppose that vote for the 1955 crop at this late date.

Mr. BURNSIDE. But that is only 40 percent of the 64 percent.

Mr. COOLEY. Mr. Speaker, I yield the balance of the time to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Speaker, I believe there has been a great misunderstanding on the part of some of the Members with regard to this bill. The purpose of the bill is to save the burley-tobacco program. I am convinced that if the burley-tobacco program goes down all tobacco programs will go down.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Texas.

Mr. POAGE. Coming from a district that has no burley-tobacco producers, it seems to me that what the gentleman has said about the tobacco program will apply to all farm programs. If we allow that program to collapse, they will all collapse. Exactly what you have asked the Members of this House to do with respect to other commodities is what is being asked of burley tobacco.

Mr. ABBITT. That is exactly true.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Virginia.

Mr. JENNINGS. I think I represent as many small farmers in my district as any one person in this Congress. But after talking with the farmers, I am sure that if we are to save this program, if we give them an opportunity that they rightfully deserve, they will vote in favor of this bill, because they want to save the burley-tobacco program and this is the only manner in which it can be saved.

Mr. ABBITT. The gentleman is absolutely right.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Kentucky.

Mr. CHELF. The bill does bring about a referendum and the farmers will have an opportunity to say what they want to do.

Mr. ABBITT. The gentleman is absolutely right.

Mr. CHELF. They will be given that opportunity. That was the reason I said awhile ago that prompt passage of this bill is imperative and necessary under the circumstances because, as everyone can see, the planting season is coming right along. It will take at least 30 days to have a referendum. Time is of the essence. That is the point I am trying to make.

Mr. ABBITT. The gentleman is absolutely right.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield.

Mr. WILSON of Indiana. I have 11,000 burley tobacco growers in my congressional district and we grow better than 10,000 acres. The program has been put up to them and they are for it. They want to salvage what they can.

Mr. ABBITT. I thank the gentleman for his contribution.

A point we have not understood is that this bill strengthens the program, as pointed out by the gentleman from West Virginia [Mr. BURNSIDE].

First, the Secretary of Agriculture re-determines the allotment. After he redetermines the allotment, then that redetermination is submitted to the growers and they, in a referendum within 30 days after the allotment has been submitted for redetermination, will vote whether they want to accept that allotment or whether they want to turn it down.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman does not have any more time; his time has expired.

Mr. ABBITT. I just hope he will keep the interest of the grower in mind.

The SPEAKER. The time of the gentleman from Virginia has expired. All time has expired.

The question is on the motion of the gentleman from North Carolina that the rules be suspended and that the bill be passed.

The question was taken; and there were—yeas 260; nays 151; not voting 23, as follows:

[Roll No. 25]

YEAS—260

Abbitt	Cooley	Hardy
Abernethy	Cooper	Harris
Adair	Corbett	Harrison, Va.
Addonizio	Coudert	Harvey
Albert	Cramer	Hays, Ark.
Alger	Crumpacker	Hayworth
Allen, Calif.	Curtis, Mass.	Hébert
Allen, Ill.	Curtis, Mo.	Henderson
Andersen,	Dague	Herlong
H. Carl	Davidson	Hiestand
Andresen,	Davis, Tenn.	Hill
August H.	Dawson, Utah	Hillings
Andrews	Delaney	Hoeven
Anfuso	Dempsey	Hoffman, Ill.
Arends	Denton	Holifield
Aspinall	Devereux	Holmes
Avery	Dies	Holtzman
Ayres	Dingell	Hope
Baldwin	Dixon	Horan
Barden	Dollinger	Hosmer
Barrett	Dolliver	Huddleston
Bates	Dondero	Hull
Beamer	Donovan	Hyde
Belcher	Dorn, N. Y.	Ikard
Bennett, Fla.	Dorn, S. C.	Jackson
Bennett, Mich.	Dowdy	James
Bentley	Durham	Jennings
Berry	Edmondson	Johnson, Calif.
Blatnik	Engle	Johnson, Wis.
Blitch	Fallon	Judd
Boggs	Fascell	Karsten
Bolling	Fenton	Kean
Bolton	Fernandez	Kelly, N. Y.
Frances P.	Fine	Keogh
Bonner	Fisher	Kilburn
Bowler	Fjare	Kilday
Boykin	Flood	Killgore
Boyle	Flynt	King, Calif.
Bray	Fountain	King, Pa.
Brooks, La.	Frellinghuysen	Kirwan
Brooks, Tex.	Friedel	Klein
Broyhill	Gamble	Kluczynski
Buckley	Garmatz	Knox
Burdick	Gary	Knutson
Burleson	Gathings	Krueger
Bush	Gentry	Laird
Byrnes, Wis.	George	Lankford
Cannon	Gordon	LeCompte
Carlyle	Granahan	Lovre
Carnahan	Grant	McCarthy
Carrigg	Green, Oreg.	McCormack
Cederberg	Green, Pa.	McMillan
Celler	Gregory	McVey
Chelf	Gubser	Macdonald
Chenoweth	Hale	Machrowicz
Clark	Haley	Mack, Wash.
Cole	Halleck	Mahon
Colmer	Harden	Marshall

Martin
Mason
Matthews
Merrow
Miller, Md.
Mills
Morano
Morrison
Multer
Mumma
Murray, Ill.
Murray, Tenn.
Natcher
Nicholson
Norrell
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Minn.
O'Konski
O'Neill
Osmers
Passman
Pelly
Pfost
Phillips
Pilcher
Poage
Poff
Polk
Preston

Price
Rabaut
Rains
Ray
Reed, Ill.
Reed, N. Y.
Rhodes, Ariz.
Richards
Riley
Roberts
Robeson, Va.
Robison, Ky.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Rutherford
St. George
Scrivner
Selden
Shelley
Sikes
Simpson, Ill.
Smith, Kans.
Smith, Miss.
Smith, Va.
Smith, Wis.
Spence

Steed
Sullivan
Teague, Calif.
Teague, Tex.
Thomas
Thompson, La.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Utt
Vanik
Van Pelt
Walter
Watts
Westland
Wickersham
Widnall
Wigglesworth
Williams, Miss.
Williams, N. J.
Williams, N. Y.
Willis
Wilson, Calif.
Wilson, Ind.
Winstead
Wright

NAYS—151

Alexander	Gwinn	Patterson
Ashley	Hagen	Perkins
Ashmore	Hand	Philbin
Auchincloss	Harrison, Nebr.	Pillion
Bailey	Hays, Ohio	Powell
Baker	Heseltun	Prlest
Bass, N. H.	Hess	Prouty
Bass, Tenn.	Hoffman, Mich.	Radwan
Baumhart	Holt	Rees, Kans.
Becker	Jarman	Reuss
Betts	Jenkins	Rhodes, Pa.
Boland	Jensen	Riehlman
Bosch	Johansen	Roosevelt
Bow	Jonas	Sadlak
Brown, Ga.	Jones, Ala.	Saylor
Brown, Ohio	Jones, N. C.	Schenck
Brownson	Kearney	Scherer
Buchanan	Kearns	Schwengel
Budge	Keating	Scudder
Burnside	Kee	Seely-Brown
Byrd	Kelley, Pa.	Sheehan
Byrne, Pa.	Landrum	Short
Chase	Lane	Shuford
Chatham	Lanham	Siemlinski
Chudoff	Latham	Slier
Church	Leslinski	Simpson, Pa.
Clevenger	Lipscomb	Slisk
Coon	Long	Springer
Cunningham	McConnell	Staggers
Davis, Ga.	McCulloch	Taber
Davis, Wis.	McDonough	Talle
Deane	McDowell	Taylor
Derounian	McGregor	Thompson,
Diggs	Mack, Ill.	Mich.
Dodd	Madden	Thompson, N. J.
Donohue	Magnuson	Tumulty
Doyle	Maillard	Udall
Elliot	Meador	Van Zandt
Ellsworth	Metcalf	Vorys
Evins	Miller, Calif.	Vursell
Feighan	Miller, Nebr.	Walnright
Fino	Miller, N. Y.	Weaver
Fogarty	Minshall	Wharton
Forand	Mollohan	Wler
Forrester	Morgan	Withrow
Frazier	Moss	Wolcott
Fulton	Nelson	Wolverton
Gavin	Norblad	Yates
Gray	O'Hara, Ill.	Young
Griffiths	Ostertag	Zablocki
Gross	Patman	

NOT VOTING—23

Bell	Eberharter	Rivers
Bolton,	Ford	Scott
Oliver P.	Hinshaw	Sheppard
Canfield	Jones, Mo.	Velde
Chlperfield	McIntire	Vinson
Christopher	Moulder	Whitten
Cretella	Quigley	Younger
Dawson, Ill.	Reece, Tenn.	Zelenko

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

Mr. Zelenko with Mr. Canfield.
Mr. Sheppard with Mr. Cretella.
Mr. Eberharter with Mr. McIntire.
Mr. Dawson of Illinois with Mr. Scott.
Mr. Christopher with Mr. Velde.

Mr. Moulder with Mr. Chipfield.
 Mr. Whitten with Mr. Oliver P. Bolton.
 Mr. Vinson with Mr. Hinshaw.
 Mr. Rivers with Mr. Younger.
 Mr. Jones of Missouri with Mr. Reece of Tennessee.
 Mr. Bell with Mr. Ford.

Mr. O'HARA of Illinois changed his vote from "yea" to "nay."

Mr. KNOX changed his vote from "nay" to "yea."

Mr. SMITH of Wisconsin changed his vote from "nay" to "yea."

Mr. SPRINGER changed his vote from "yea" to "nay."

Mr. SIEMINSKI changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

CORRECTION OF RECORD

Mr. HALLECK. Mr. Speaker, I am informed on the previous record vote on the postal pay bill I am not recorded. I was present and voted "yea." I ask unanimous consent for the RECORD to be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ONE HUNDREDTH ANNIVERSARY OF HOBOKEN, N. J.

Mr. TUMULTY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 165) to express the felicitation of the House on the occasion of the 100th anniversary of the incorporation of the city of Hoboken, N. J.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. MARTIN. Mr. Speaker, reserving the right to object, may I inquire of the gentleman, who is the author of the bill, if this is not a resolution felicitating the city of Hoboken on the 100th anniversary of its incorporation, and that it carries no appropriation; is that correct?

Mr. TUMULTY. It is a very simple resolution felicitating the city of Hoboken upon its incorporation 100 years ago and carries no appropriation.

Mr. MARTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the resolution, as follows:

Whereas March 28, 1955, is the 100th anniversary of the incorporation of the city of Hoboken, N. J.; and

Whereas throughout the years since its incorporation Hoboken has played an important role in the growth and development of Hudson County, the State of New York, and the Nation; and

Whereas the city of Hoboken is known throughout the United States not only because of its shipping and industrial facilities, but also because of the personal acquaintance of the thousands of servicemen who have passed through it in embarking for overseas service: Therefore be it

Resolved, That the House of Representatives extends to the city of Hoboken, N. J., its felicitations on the occasion of the 100th anniversary of its incorporation and hereby expresses to that city its appreciation for the splendid services to the Nation its citizens have rendered during the last 100 years.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mr. DONDERO asked and was given permission to address the House on Wednesday next for 20 minutes, following the legislative program of the day and the conclusion of any special orders heretofore entered.

GENERAL LEAVE TO EXTEND

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD during proceedings in Committee of the Whole and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS FOR 1956

Mr. FOGARTY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5046) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1956, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited not to exceed 2 hours, the time to be equally divided and controlled by the gentleman from New York [Mr. TABER] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]?

Mr. HOFFMAN of Michigan. Reserving the right to object, is there going to be a vote on this bill today?

Mr. FOGARTY. It is my hope that we will be able to vote on the bill tonight. After conferring with Members on the minority side, we may not use the 2 hours of general debate. There are only 1 or 2 small amendments that I know of, and we hope to be able to pass the bill today.

Mr. HOFFMAN of Michigan. If we do use the 2 hours' debate it would be a quarter to 7.

Mr. FOGARTY. No. It would be a quarter to 6, but we do not expect to use all the time.

Mr. HOFFMAN of Michigan. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5046) making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1956, and for other purposes, with Mr. PRICE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Rhode Island [Mr. FOGARTY] will be recognized for 1 hour, and the gentleman from New York [Mr. TABER] will be recognized for 1 hour.

The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I yield myself 28 minutes.

Mr. Chairman, we bring to you this afternoon the annual appropriation for the Department of Labor, Health, Education, and Welfare, and related agencies. This is the fifth time I have had the privilege and honor of presenting this appropriation bill as chairman of the subcommittee. This is my ninth year as a member of the committee. I think I can honestly say that we have never had a more conscientious and hardworking group of Members of Congress on any subcommittee on appropriations than we have had this year.

On the Democratic side we have with us the gentleman from New Mexico [Mr. FERNANDEZ], who has served on this committee for the past 2 years; a new member, the gentleman from Georgia [Mr. LANHAM]; and we welcome back again the gentleman from Indiana [Mr. DENTON], who previously had served on this committee for 2 years. They gave to me all the help any chairman could expect. Their attendance was 100 percent, and I am very happy to acknowledge their support and cooperation at this time.

When this committee was made up in January there were 2 or 3 vacancies on the Republican side. I must say that I was amazed to learn that the ranking Republican member of the full Committee on Appropriations, the gentleman from New York [Mr. TABER], who has the duty and obligation of naming the Republican members of all subcommittees of the Committee on Appropriations had named himself on this committee. It pleases me very much as chairman of the subcommittee to know that I have him with me, one of the outstanding Members of Congress. He, along with the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], have probably done more than any other two Members of Congress to work toward keeping the budget in balance. I appreciate his presence on the committee. He never missed a meeting. He is one of the hardest working members of the committee. We have back with us again the gentleman from Iowa [Mr. JENSEN], who had previously served on the committee. His previous experience on this committee makes him most welcome. He, too, was a very active member. Then we had a

new member of the committee from the Republican side, the gentleman from New Jersey [Mr. HAND]. He also never missed a meeting and turned out to be a most valuable member of the committee. So I think I can say this afternoon that I am very fortunate in having such an outstanding group of members on this subcommittee.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. In just a moment. I could not conclude this phase of my remarks without mention of the most important cog in any subcommittee on appropriations, and that is the employee who does most of the work and gets paid less than he deserves for all the work he does. We have had Mr. Robert Moyer as clerk of this committee for many years. I do not know what his salary is, but he should be getting twice as much as he is getting, and I hope the Committee on Appropriations in the House does something about these clerks. When we see the budget officers from the agencies downtown, coming before our committees, making \$12,000 a year or more, and our own clerks who work with us on these subcommittees and who know as much and work as hard or harder on these budgets, I think the time has come for reappraisal and correction. In my opinion they should be paid at least commensurately with executive personnel.

I have never been able to understand by what process of reasoning we Members of Congress have gone along in the approval of salaries for employees of the executive department greatly in excess of the salaries we pay our own committee and office staffs. It has been a source of amazement to me that we approve salaries of \$14,800 for such executive employees and yet maintain a ceiling on our own committee personnel of about \$11,600 and of our own personal staff members of less than that. And to further aggravate the situation I understand that the executive branch is now moving to increase the permissible ceiling for their employees to \$17,500 per year. It seems to me that we, in the Congress, are somewhat derelict in not coming to the front for those on whom we depend so much, and I sincerely hope that we soon take measures to correct this inequity and see to it that our committee personnel and our personal staffs are at least given equal treatment with the employees of the executive department.

I now yield to my distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. I know the modesty of the gentleman from Rhode Island, but I think every member of the subcommittee, as well as the staff, is not only grateful but highly pleased at serving under his chairmanship, because I have served with no finer Member of Congress than the distinguished gentleman from Rhode Island, Mr. FOGARTY.

Mr. FOGARTY. Mr. Chairman, I think this is one of the most difficult appropriation bills to cut. It carries an appropriation this year of \$2,337,000,000. It is \$94,600,000 less than the total of the budget requests; and it is \$94,200,000 less

than was appropriated for the current fiscal year 1955. It is one of the most important appropriation bills because it deals with human beings. It affects all American citizens, not only in their health and welfare, but it gives protection to all those who work for a living in this country. An additional reason is that there is a one-line item in the bill that amounts to 60 percent of the \$2,337,000,000, the item for public assistance. This item amounts to \$1,400,000,000 which we did not cut a dime because of the statutes we are operating under. When the States approve claims for public assistance, we have no alternative but to match funds on the basis provided by the Social Security Act. As a result of the hearings, during which those in charge of the program told us this figure perhaps will fall \$50 million short of meeting these requirements, the committee had no other choice but to allow the full amount of \$1,400,000,000.

In the first part of the report you will notice we have a paragraph regarding civil defense. We had a request from the Department of Health, Education, and Welfare, asking for \$1,600,000 for civil defense activities. We have cut this item out entirely because the committee believes that the Civil Defense Administration should keep all their eggs in one basket and not ask every agency of the Government to request the Congress, on a piecemeal basis, to appropriate money for civil defense. We say in our report that the Civil Defense Administration should go to the appropriate subcommittee on appropriations and justify their entire budget before that committee.

We did the same thing with regard to defense mobilization activities, for which we received a request from the Department of Labor. We told them the same thing in denying all funds for defense mobilization.

We cut the Department of Labor items quite substantially. For the Secretary's Office we allowed a couple of small increases. We allowed most of the request for \$173,000 to make a study of those over 45 years old seeking employment. That is a problem that is going to continue to get bigger, and we are not doing anything about it. So the committee allowed an appropriation for the Secretary of Labor to study this problem and to make recommendations to the Congress next year.

We also allowed most of a \$40,000 request for a program to improve the skills of the American worker in this country.

For the Office of Solicitor we allowed a slight increase.

For the Bureau of Labor Standards we also allowed a slight increase.

We gave to the Bureau of Veterans' Reemployment Rights the sum of \$346,000, a reduction of \$46,000 from the request and an increase of \$46,000 above the appropriation for 1955.

For the Bureau of Apprenticeship we gave an increase of \$50,000 above the appropriation for 1955. We also told them to use this \$50,000 in the field and not here in Washington where they requested it.

We cut grants to States for unemployment compensation and employment service administration by \$280,000. This is actually a larger cut than it seems because we raised the contingency fund to \$20 million. As you know the contingency fund can be used only for three specific things; that is increased workloads that they could not foresee when they prepared their budget, an increase specific things; that is increased workloads because of changes in State law that may take place in the future. Even though that is some decrease in the base appropriation, they will have \$5 million more than they have this year to operate with.

Now, we show a fairly substantial deduction in the Department of Labor, but most of it occurred in two items. One was the unemployment compensation for veterans. We are providing \$120 million, but that is a \$30 million reduction which was made because the most up to date statistics we have indicate that the \$120 million will be enough to carry out this program this year. The same thing applies to the appropriation for unemployment compensation for Federal employees. This is a new law which became effective last January. We provided \$10 million in the supplemental bill for this fiscal year, 1955, and the present bill includes \$20 million. It is a reduction of \$20 million from what they asked for, but we believe, on the testimony that was presented, that this will be enough to carry them through 1956.

We show a little decrease in the Mexican farm-labor program, because that law expires the end of December this year. If it is extended, as most people think it will be, we will be back here recommending a supplemental appropriation for the last half of the fiscal year.

In the Bureau of Employees' Compensation there is an increase of \$117,000 for investigation of claims for compensation by Federal workers.

In the Bureau of Labor Statistics we allowed three increases amounting to \$500,000 in total. They asked for increases totaling \$1,495,000. The \$500,000 includes \$200,000 for improving and filling gaps in factual data on employment, hours, and earnings; \$100,000 to bring up to date the Occupational Outlook Handbook, which most of the committee were convinced was one of the best publications the Government has put out to date; and \$200,000 for information on the labor force and on the characteristics of the unemployed in selected areas.

Now, we gave the Women's Bureau every dime they asked for, \$348,000.

In the Wage and Hour Division we gave them the small increase of \$45,500 which they asked for.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to ask the gentleman concerning the Department of Labor. Would the gentleman mind explaining in more detail the items he spoke of there for activities in the areas where we have unemployment? I be-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 23, 1955
For actions of March 22, 1955
84th-1st, No. 51

CONTENTS

Acreage allotments.....1,7	Fruits and vegetables	Reclamation.....14
Alaska.....11	11,28	Research.....25
Appropriations.....20	Health.....4	Rice.....1
Chemicals in food.....4	Herbicide.....15	Roads.....18,22
Civil defense.....20	Imports.....11,21	Rubber.....66,9,19
Commodity exchanges.....2	Information.....17	Small business.....10
Cotton.....7,19,24	Labor, farm.....20	Social security.....20
Crop damage.....15	Lands, public.....3	Statistics.....20
Drought relief.....12	Legislative program...7,19	Surplus commodities.....35
Education.....20	Livestock and meats..11,21	Surplus property.....31
Electrification.....14	Onions.....2	Taxation.....32
Extension work.....20	Organization,	Technical assistance...17
Farm machinery.....32	executive.....5,8	Textiles.....25
Farm program.....13,26	Personnel.....5,19,20,34	Tobacco.....1
Feed.....12	Postal rates.....33	Trade agreements.....24
Food.....4,20	Price supports.....26	Transportation.....16
Foreign affairs.....13,17	Public works.....30	Weather.....11
Foreign trade.....35	Purchasing.....29	Wheat.....12,27
Forestry.....3	REA.....23	

HIGHLIGHTS: Senate debated cotton-allotment increase bill. Senate agreed to House amendment to bill to continue Reorganization Act. House Rules Committee cleared bills to redetermine burley tobacco allotments and increase rice allotments. House committee reported bill to include onions under CEA.

HOUSE

1. ~~RICE, TOBACCO.~~ The Rules Committee reported resolutions providing for the consideration of H. R. 4647, to increase the State rice acreage allotments for 1955 by 5%, and H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-6 marketing year (p. 2913).
2. COMMODITY EXCHANGES. The Agriculture Committee reported without amendment H. R. 122, to include onions under the CEAct (H. Rept. 285)(p. 2924).
3. PUBLIC LANDS. The Interior and Insular Affairs Committee ordered reported H. R. 2679, to amend the act to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz. (p. D234).
4. CHEMICALS IN FOOD. Rep. Willis expressed concern over the use of chemicals in food "in those cases where chemicals added to food create a health hazard," and he inserted a report of the National Research Council on the use of artificial sweeteners in food (pp. 2215-8).

5. PERSONNEL. Both Houses received from HEW a proposed bill to authorize an additional Assistant Secretary in that Department (pp. 2790, 2924).
6. RUBBER. Rejected, 132 to 283, H. Res. 170, declaring that the House of Representatives does not favor sale of the facilities as recommended in the report of the Rubber Producing Facilities Disposal Commission submitted to Congress on Jan. 24, 1955 (pp. 2865-912).

SENATE

7. COTTON ALLOTMENTS. Began debate on H. R. 3952, to amend the Agricultural Adjustment Act of 1938 regarding cotton allotments. The bill as reported would increase the 1955 allotment by approximately 258,625 acres (the House version provides a 3% increase of approximately 543,234 acres) and would allot to each State an amount necessary to increase each farm allotment to the smaller of 4 acres or 75% of the highest acreage planted in 1952, 1953, or 1954. In addition each State would receive further acreage equal to one-half percent of its present allotment. Sen. Stennis (for himself and Sens. McClellan and Fulbright) submitted an amendment to the committee amendment so as to provide a 1½% (271,000 acres) allotment increase for 1955. This amendment was pending at recess for consideration today, Mar. 23, and a record vote has been ordered. Sen. Anderson and others submitted an amendment to increase the allotments for Ariz., Calif., Ill., Nev., and N. Mex. by 2% or to 3,500 acres, whichever results in the larger acreage. Sen. Malone submitted an amendment to allot to certain States not less than 10,000 acres in any year in which allotments are made. Sen. Daniel (for himself and Sen. Johnson) submitted an amendment intended to be proposed to this bill. (pp. 2802, 2811-2, 2824-5, 2828-33, 2836-43).
8. REORGANIZATION. Agreed to the House amendment to H. R. 2576, to continue the Reorganization Act of 1949 to June 1, 1957 (p. 2804). This bill will now be sent to the President.
9. RUBBER. The Banking and Currency Committee reported adversely S. Res. 76, disapproving the sale of the facilities as recommended in the report of Rubber Producing Facilities Disposal Commission (S. Rept. 117); and S. Res. 78 and 79, disapproving the sale of three synthetic-rubber-producing plants in Calif. (S. Rept. 118)(p. 2796).
10. SMALL BUSINESS. Received the report of the Small Business Administration covering operations between Aug. 1, 1954 and Jan. 31, 1955 (p. 2790).
11. MEAT IMPORTS; CHERRY IMPORTS; WEATHER CONTROL; ALASKA. Received various State Legislature memorials, etc., favoring immediate action to stop the importation of canned hams from Communist-dominated countries, urging retention of the present duty on cherry imports, prohibiting seeding of clouds or use of other methods to induce rain or snowfall until sufficient scientific data are collected to make effective regulation possible; and favoring extension of rectangular surveys in Alaska and granting to the Territory the same right as has been granted other States under the Submerged Land Act of May 23, 1953 (pp. 2790-2).

CONSIDERATION OF H. R. 4951

MARCH 22, 1955.—Referred to the House Calendar and ordered to be printed

Mr. THORNBERRY, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 189]

The Committee on Rules, having had under consideration House Resolution 189, report the same to the House with the recommendation that the resolution do pass.



1900

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84TH CONGRESS
1ST SESSION

H. RES. 189

[Report No. 291]

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1955

Mr. THORNBERRY, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (H. R. 4951) direct-
5 ing a redetermination of the national marketing quota for
6 burley tobacco for the 1955-1956 marketing year, and for
7 other purposes. After general debate, which shall be con-
8 fined to the bill, and shall continue not to exceed one hour,
9 to be equally divided and controlled by the chairman and
10 ranking minority member of the Committee on Agriculture,
11 the bill shall be read for amendment under the five-minute
12 rule. At the conclusion of the consideration of the bill

1 for amendment, the Committee shall rise and report the
2 bill to the House with such amendments as may have been
3 adopted, and the previous question shall be considered as
4 ordered on the bill and amendments thereto to final passage
5 without intervening motion, except one motion to recommit.

House Calendar No. 29

84TH CONGRESS
1ST SESSION

H. RES. 189

[Report No. 291]

RESOLUTION

Providing for the consideration of H. R. 4951,
a bill directing a redetermination of the na-
tional marketing quota for burley tobacco
for the 1955-1956 marketing year, and for
other purposes.

By Mr. THORNBERRY

MARCH 22, 1955

Referred to the House Calendar and ordered to be
printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 25, 1955
March 24, 1955
84th-1st, No. 53

CONTENTS

Acreage allotments.....11	Exports.....4	Reclamation.....12,13
Adjournment.....10	Farm housing.....22	Research.....1
Agricultural appropriations.....2,10	Flammable fabrics.....25	St. Lawrence Seaway.....15
Appropriations.....1,2,10	Forestry.....1	School lunches.....18
Banking and currency.....9	Information.....13	Small business.....20
Blackbird control.....1	Land management.....1	Soil conservation.....1
Cotton.....11	Legislative program.....10	Surplus commodities...4,21
G.C.C.....4	Loans, farm.....5	Tariffs.....8
Dairy products.....6,17	Monopolies.....10,23	Tobacco.....3
Defense production.....24	Organization.....7	Water, research.....1
Education.....13	Personnel.....10,14,16,19	Watershed protection.....1
Electrification.....12	Postal service.....26	Weather control.....13
	Price supports.....17	Wheat.....11

HIGHLIGHTS: See last page of Digest.

HOUSE

1. APPROPRIATIONS. Passed with amendment H. R. 5085, the Department of the Interior and Related Agencies Appropriation Bill for 1956 (pp. 3098-3114). Rejected an amendment by Rep. Gavin to add \$400,000 to the funds for State and private forestry cooperation (pp. 3112-4). For provisions of this bill as reported see Digest 50.
Rep. Rayburn questioned whether the placement of the Forest Service appropriation in this bill "is an entering wedge to transfer the Forest Service from Agriculture to Interior," and stated that he is opposed to such a transfer. Several Members discussed the pros and cons of the placement of this appropriation in the Interior bill. (pp. 3099-3100, 3107-8, 3112-4). Several Members commended items for FS, watershed protection and research, salt-water research, soil and moisture program of the Bureau of Land Management, and study of blackbird control (pp. 3101-3, 3109-12).
The Appropriations Committee was authorized to have until midnight Sat., Mar. 26, to report the Independent Offices Appropriation Bill for 1956 (p. 3096).
2. AGRICULTURAL APPROPRIATION BILL, 1956. The Appropriations Committee was authorized to have until midnight today, Mar. 25, to report this bill, and Majority Leader McCormack announced this bill is to be debated on Mon. (pp. 3096, 3139).
3. TOBACCO. Passed as reported H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-6 marketing year. The bill as passed includes provisions of three other bills: H. R. 4756, relating to history credit for excess acreage; H. R. 4757, relating to the filing of false reports; and H. R. 4989, increasing the marketing penalty. (pp. 3130-8.)

OVER

Rejected, 30-54, an amendment submitted by Rep. Burnside to increase the exemption from acreage reduction from five-tenths of an acre to seven-tenths of an acre (pp. 3135-7).

Rejected, 44-71, an amendment submitted by Rep. Bass to increase the exemption from acreage reduction from five-tenths of an acre to six-tenths of an acre (pp. 3137-8).

Rejected a motion offered by Rep. Kilburn to recommit the bill (p. 3138).

4. SURPLUS COMMODITIES. The Agriculture Committee ordered reported S. 752, to amend the Agricultural Trade Development and Assistance Act (Public Law 480, 83rd Cong.), so as to eliminate the requirement that privately owned stocks exported thereunder be replaced from CCC stocks (p. D246).
5. FARM LOANS. The Committee on Veterans' Affairs reported without amendment H. R. 5106, to amend the Servicemen's Readjustment Act of 1944, so as to authorize loans for farm housing to be guaranteed or insured under the same terms and conditions as apply to residential housing (H. Rept. 299) (p. 3148).
6. DAIRY PRODUCTS. Rep. Laird commended the U. S. cheese industry for their positive program of promoting the sale and consumption of American cheese and urged the passage of H. R. 252, a bill to provide standards governing imported food products (p. 3097).
7. ORGANIZATION. Rep. Patman criticized the Hoover Commission, stated "we should not permit it to be extended," and inserted correspondence he had with Herbert Hoover concerning the functions of the Commission (pp. 3140-2).
8. TARIFFS. Rep. Lankford expressed concern over proposed increased duties on Swiss watches and stated that the reason for his concern is "the fact the Swiss are the largest purchasers of high-grade Maryland export tobacco" (pp. 3142-5).
9. BANKING AND CURRENCY. Received a report on the audit of Export-Import Bank for the fiscal year 1954 (H. Doc. 116); to Government Operations Committee (p. 3148).
10. ADJOURNED until Mon., Mar. 28 (p. 3139). Legislative program for next week as announced by Majority Leader McCormack: Mon., the Agricultural Appropriation Bill for 1956, to be followed by bill to increase penalties under the Sherman Antitrust Act (which may be carried over until Tues.); Wed., the Independent Offices Appropriation Bill for 1956; Thurs. and Fri., undetermined; and "if a rule is reported and other conditions permit, the postal pay raise bill will be brought up during the week" (p. 3139).

Calendar No. 124

84TH CONGRESS
1ST SESSION

H. R. 4951

IN THE SENATE OF THE UNITED STATES

MARCH 25 (legislative day, MARCH 10), 1955

Read twice and ordered to be placed on the calendar

AN ACT

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That notwithstanding any other provision of law—

4 (1) The Secretary of Agriculture shall, within ten
5 days after enactment of this Act, redetermine the na-
6 tional marketing quota for burley tobacco for the 1955-
7 1956 marketing year on the basis of the latest available
8 statistics of the Federal Government, apportion such
9 quota among States, convert the State quotas to State
10 acreage allotments, and allot the same among farms

1 pursuant to and in accordance with applicable provisions
2 of law: *Provided*, That burley tobacco marketing quotas
3 and acreage allotments heretofore established for the
4 1955-1956 marketing year shall not be effective, but
5 the preliminary burley tobacco acreage allotment for
6 any farm determined under section 725.616 of the burley
7 and flue-cured tobacco marketing quota regulations,
8 1955-1956 marketing year, issued by the Secretary of
9 Agriculture (19 Federal Register 3549), shall not be
10 reduced by more than 25 per centum (except for re-
11 ductions under section 725.619 of said regulations);

12 (2) Burley tobacco farm acreage allotments of
13 seven-tenths of an acre or less heretofore determined for
14 the 1955-1956 marketing year when redetermined pur-
15 suant to paragraph (1) of this Act may be reduced but
16 not more than one-tenth acre: *Provided, however*, That
17 no allotment of five-tenths of an acre or less shall be
18 reduced under this section;

19 (3) Within twenty days after the issuance of the
20 proclamation of the national marketing quota for burley
21 tobacco for the 1955-1956 marketing year as redeter-
22 mined pursuant to paragraph (1) of this Act, the Sec-
23 retary of Agriculture shall conduct a referendum of
24 farmers who were engaged in the production of the 1954
25 crop of burley tobacco to determine whether such

1 farmers are in favor of or opposed to such redetermined
2 quota. If more than one-third of the farmers voting in
3 the referendum oppose such redetermined quota, the
4 Secretary of Agriculture shall, within thirty days after
5 the date of the referendum, proclaim the result of the
6 referendum and (1) no quota for burley tobacco for
7 the 1955-1956 marketing year shall be effective there-
8 after, and (2) no price support shall be made available
9 on the 1955 crop of burley tobacco.

10 SEC. 2. Public Law 528, Eighty-second Congress (66
11 Stat. 597), is hereby amended, effective for the 1956 and
12 subsequent crops of burley tobacco, to read as follows:
13 "The farm acreage allotment for burley tobacco for any year
14 shall not be less than the smallest of (1) the allotment
15 established for the farm for the immediately preceding year,
16 (2) five-tenths of an acre, or (3) 10 per centum of the
17 cropland: *Provided, however,* That no allotment of seven-
18 tenths of an acre or less shall be reduced more than one-tenth
19 of an acre in any one year. The additional acreage required
20 under this Act shall be in addition to the State acreage allot-
21 ments and the production on such acreage shall be in addition
22 to the national marketing quota."

23 SEC. 3. Section 313 (g) of the Agricultural Adjustment
24 Act of 1938, as amended, is amended by adding immedi-
25 ately after the first sentence thereof a new sentence to read

1 as follows: "Any acreage of tobacco harvested in excess of
2 the farm acreage allotment for the year 1955, or any subse-
3 quent crop shall not be taken into account in establishing
4 State and farm acreage allotments."

5 SEC. 4. The last sentence of section 313 (g) of the Agri-
6 cultural Adjustment Act of 1938, as amended, is amended by
7 adding in the last sentence thereof immediately following
8 the language "if proof of the disposition of any amount of
9 tobacco is not furnished as required by the Secretary" the
10 language "or if any producer on the farm files, or aids or
11 acquiesces in the filing of, any false report with respect
12 to the acreage of tobacco grown on the farm required by
13 regulations issued pursuant to this Act".

14 SEC. 5. Section 314 (a) of the Agricultural Adjustment
15 Act of 1938, as amended, is hereby amended, effective
16 July 1, 1955, with respect to flue-cured tobacco, and Octo-
17 ber 1, 1955, with respect to other kinds of tobacco, by
18 striking out the figure "50" therein and inserting in lieu
19 thereof the figure "75".

Passed the House of Representatives March 24, 1955.

Attest:

RALPH R. ROBERTS,

Clerk.

84TH CONGRESS
1ST SESSION

H. R. 4951

AN ACT

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

MARCH 25 (legislative day, MARCH 10), 1955

Read twice and ordered to be placed on the calendar

of Congress; nor may it be sold for a period of 3 years.

S. 691 also requires the Commission, before submission of its report to the Congress, to submit the report to the Attorney General, "who shall, within 7 days after receiving the report, advise the Commission whether, in his opinion, the proposed disposition, if carried out, will violate the antitrust laws."

S. 691 also provides authority for the Government to continue the operation of the copolymer plant at Baytown, Tex., until the plant is transferred to a purchaser or, if no sale is approved with regard to this copolymer plant the Government is authorized to continue to operate the copolymer plant at Baytown until the plant is placed in standby in accordance with the Rubber Producing Facilities Disposal Act.

S. 691 continues the life of the Disposal Commission until the 130th day following the termination of the transfer period previously mentioned. If no sale for the copolymer plant at Baytown is recommended by the Commission then the Commission will cease to exist at the close of the 130th day following the date of enactment of S. 691.

S. 691 also provides that all of the criteria with regard to the previous sales that have now been approved by the Congress shall be applicable in the case of the copolymer plant at Baytown, except for the provisions of the Disposal Act which would otherwise preclude the Government from selling synthetic rubber manufactured at the Baytown plant; the provision with respect to the inventory on hand at the Baytown plant, and other purely technical provisions.

The purchaser of the Baytown copolymer plant is authorized to purchase the inventory of any end products, together with raw materials that are available at the Baytown plant, at the time of the transfer. If the purchaser does not care to purchase such end products, then the Commission may sell the end products or feed stocks "in such manner as the operating agency deems advisable." Likewise, if the Baytown facility is not sold at all then the inventory and feed stocks will be sold "as the operating agency deems advisable, at the prevailing market price for such end products and feed stocks."

S. 691 also authorizes the Disposal Commission or, after it ceases to exist, such agency of the Government as the President may designate, after securing the views of the Attorney General as to whether the proposed lease or sale would tend to create or maintain a situation inconsistent with the antitrust laws, to enter into leases or contracts of sale for all or any number of the 448 pressure tank cars which the Commission heretofore has been unable to sell.

Any lease or sale of the tank cars shall contain a national security clause, although such a clause will obviously have to be less restrictive than that applied to the sale of rubber plants in view of the age and condition of the tank cars. Any lease for tank cars shall contain a provision for the recapture of the tank cars leased by the Government and for the termination of the lease if the President

determines the national interests so require. Tank cars not leased or sold may be transferred without charge by the Commission or its successor to any other Government agency, subject to national security and recapture provisions. Those not leased or sold or transferred will be maintained in adequate standby. The sale or lease of the tank cars does not require review by the Congress.

The final section of S. 691 is to the effect that the provisions of S. 691 shall not be applicable to the disposal of any Government-owned rubber producing facilities except the Baytown copolymer facility and the 448 pressure tank cars previously mentioned. Thus the enactment of this bill will in no way effect the other sales previously approved by the Congress.

In summary, therefore, S. 691 continues the life of the Rubber Facilities Disposal Commission for a sufficient period of time so that it may receive proposals for a 30-day period for the sale of the 44,000 long ton GR-S capacity copolymer plant at Baytown, Tex. After the proposals have been received the Commission shall negotiate with those submitting proposals for a period of not more than 60 days and within 10 days after the termination of the negotiation period, the report will be submitted to the Congress where either House may disapprove the proposed sale for a 30-day period of continuous session. Prior to submitting the report to the Congress the Commission shall submit it to the Attorney General who, within 7 days after receiving the report, shall advise the Commission whether, in his opinion, the proposed disposition will violate the antitrust laws.

The Government is authorized to continue to operate the GR-S facility at Baytown until the plant is sold or until it is placed in standby in accordance with the Disposal Act. The Commission is also authorized to lease or sell the tank cars that they have thus far been unable to sell. All of the criteria, except certain technical provisions which could not be applied to the proposed sale of the copolymer facility, will apply in the case of the proposed sale of the Baytown facility.

The enactment of S. 691 will have no effect whatsoever upon all of the other rubber facilities, the sales of which have been approved by the Congress.

(Mr. VINSON asked and was given permission to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Rubber Producing Facilities Disposal Act of 1953 is amended by adding at the end thereof the following new section:

"SEC. 25. (a) Notwithstanding the second sentence of section 7 (a), the period for receipt of proposals for the purchase of the Government-owned rubber-producing facility at Baytown, Tex., known as Plancor No. 877, shall not expire until the end of

the 30-day period which begins on the date of the enactment of this section.

"(b) If one or more proposals are received for the purchase of Plancor No. 877 within the time period specified in subsection (a), the Commission, notwithstanding the expiration of the period for negotiation specified in section 7 (f), shall negotiate with those submitting the proposals for a period of not to exceed 60 days for the purpose of entering into a definitive contract of sale.

"(c) Within 10 days after the termination of the actual negotiation period referred to in subsection (b), the Commission shall prepare and submit to the Congress a report containing, with respect to the disposal under this section of Plancor No. 877, the information described in paragraphs (1) to (5), inclusive, and paragraph (8) of section 9 (a). Unless the contract is disapproved by either House of the Congress by a resolution prior to the expiration of 30 days of continuous session (as defined in section 9 (c)) of the Congress following the date upon which the report is submitted to it, upon the expiration of such 30-day period the contract shall become fully effective and the Commission shall proceed to carry it out, and transfer of possession of the facility sold shall be made as soon as practicable but in any event within 30 days after the expiration of such 30-day period. The failure to complete transfer of possession within 30 days after the expiration of the period for congressional review shall not give rise to or be the basis of rescission of the contract of sale.

"(d) If, upon termination of the transfer period provided for in subsection (c), no contract for the sale of Plancor No. 877 has become effective, the operating agency last designated by the President shall, as promptly as possible consistent with sound operating procedures, take said Plancor out of production and place it in adequate standby condition under the provisions of section 8 of the Rubber Producing Facilities Disposal Act of 1953: *Provided*, That the provisions in said section relating to the time for placing facilities in standby condition shall not apply to Plancor No. 877."

Sec. 2. Notwithstanding the provisions of section 3 (d) of the Rubber Producing Facilities Disposal Act of 1953, the Rubber Producing Facilities Disposal Commission (hereinafter referred to as the "Commission") before submission to the Congress of its report relative to Plancor No. 877, shall submit it to the Attorney General, who shall, within 7 days after receiving the report, advise the Commission whether, in his opinion, the proposed disposition, if carried out, will violate the antitrust laws.

Sec. 3. Notwithstanding the provisions of sections 14 and 22 of the Rubber Producing Facilities Disposal Act of 1953, the Rubber Act of 1948, as amended, is hereby extended with respect to the rubber-producing facilities covered by this act, to the close of the day of transfer of possession of Plancor No. 877 to a purchaser in accordance with the provisions of section 25 of the Rubber Producing Facilities Disposal Act: *Provided*, That if no such transfer is made, the Rubber Act of 1948, as amended, is hereby extended to the close of the day upon which Plancor No. 877 is placed in standby condition pursuant to the provisions of this act.

Sec. 4. Notwithstanding the provisions of section 20 of the Rubber Producing Facilities Disposal Act of 1953, the Commission established by that act shall cease to exist at the close of the 30th day following the termination of the transfer period provided for in section 25 (c) of that act, unless no sale of Plancor No. 877 is recommended by the Commission pursuant to section 25 (c) of that act, in which event the Commission shall cease to exist at the close of the 130th day following the date of enactment of this act.

SEC. 5. Except as otherwise provided in this act, disposal of Plancon No. 877 shall be fully subject to all the provisions of the Rubber Producing Facilities Disposal Act of 1953 and such criteria as have been established by the Commission in handling disposal of other Government-owned rubber-producing facilities under that act: *Provided*, That the provisions of sections 7 (j), 7 (k), 9 (d), 9 (f), 10, 11, 15, and 24 of that act shall not apply to the disposal of Plancon No. 877. As promptly as practicable following the date of transfer of possession of Plancon No. 877 to a purchaser under this act, the operating agency last designated by the President shall offer for sale to such purchaser the end products produced at such plant and held in inventory for Government account on the day of such transfer of possession, together with the feedstocks then located at such plant or purchased by the operating agency for use at such plant. Sale of such end products shall be made at the Government sales price prevailing on the business day next preceding the date of transfer of possession of such plant. Sale of such feedstocks shall be made at not less than their cost to the Government. In the event the purchaser declines to purchase such end products or feedstocks when first offered to it by the operating agency, they may be thereafter disposed of in such manner as the operating agency deems advisable. In the event Plancon No. 877 is not sold under the provisions of this act, any end products produced at such plant and held in inventory for Government account on the day such plant is placed in standby condition pursuant to section 25 (d) of the Rubber Producing Facilities Disposal Act of 1953, as added by this act, and any feedstocks then located at such plant or purchased by the operating agency for use at such plant shall be disposed of in such manner as the operating agency deems advisable, at the prevailing market price for such end products and feedstocks.

SEC. 6. Notwithstanding any provision of the Rubber Producing Facilities Disposal Act of 1953 and notwithstanding any other provision of this act, the Commission or after it ceases to exist, such agency of the Government as the President may designate, may, after securing the advice of the Attorney General as to whether the proposed lease or sale would tend to create or maintain a situation inconsistent with the anti-trust laws, enter into leases or contracts of sale for all or any number of 448 pressure tank cars (ICC Classification ICC-104AW) for which the Commission invited proposals to purchase pursuant to that act. Each such lease may be for such duration and each such lease or contract of sale may be made on such terms (including type of use) as the Commission or such other agency deems advisable in the public interest: *Provided*, That each such lease or contract of sale shall contain, among other provisions, a national security clause, and each such lease shall contain provisions for the recapture of the tank cars leased by the Government and the termination of the lease, if the President determines that the national interest so requires. The rental or price for any such tank car or cars shall be an amount which the Commission or such agency determines to be the maximum amount obtainable in the public interest, but not less than fair value as determined by the Commission. Any of such tank cars not under lease or contract of sale to non-Federal lessees or purchasers may be transferred without charge by the Commission or such agency to any Government department or agency upon request, for such use as the Commission or such agency deems advisable and subject to national security and recapture provisions of the type hereinabove provided for in this section running in favor of the Commission or other agency transferring

the tank car or cars. Any of such tank cars not sold or under lease or transferred as hereinabove provided shall be placed and maintained in adequate standby condition pursuant to the provisions of section 8 of the Rubber Producing Facilities Disposal Act of 1953.

SEC. 7. The provisions of this act shall not be applicable to the disposal of any Government-owned rubber-producing facilities other than Plancon No. 877 and 448 pressure tank cars (ICC Classification ICC 104AW); and all action taken pursuant to the provisions of the Rubber Producing Facilities Disposal Act of 1953 prior to the enactment of this act shall be governed by the provisions of that act as it existed prior to the enactment of this act and shall have the same force and effect as if this act had not been enacted.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read the third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

BURLEY TOBACCO ACREAGE ALLOTMENTS AND MARKETING QUOTAS

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 189) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, I yield myself such time as I may require, and later I shall yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, House Resolution 189 will make in order the consideration of the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes.

This resolution provides an open rule, with 1 hour general debate. As far as I know, there is no opposition on this side to the adoption of the rule.

I yield 30 minutes to the gentleman from Illinois.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the time.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 4951, with Mr. SIEMINSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY] will be recognized for 30 minutes, and the gentleman from Kansas [Mr. HOPE] will be recognized for 30 minutes.

The Chair now recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this is the identical bill that we had before the House on Monday, at which time we attempted to suspend the rules and pass the bill. I am sure you will recall that there will be no controversy about any section of the bill other than the one section which provides for a reduction in the minimum acreage allotment which is now in the law. The minimum acreage allotment now is seven-tenths of an acre.

This bill authorizes the Secretary of Agriculture to lower that seven-tenths of 1 acre by one-tenth of an acre during the current year 1955, and an additional one-tenth of an acre in the crop year 1956. I shall not attempt to discuss the bill but will yield to the chairman of the subcommittee to which the bill was referred, the gentleman from Virginia, Mr. ABBITT, and I am sure those Members who represent areas in which burley tobacco is grown will discuss the bill and its details. I do, however, want to call attention to the very serious situation which exists with reference to burley tobacco. All of the tobacco programs have been very successful through the years, but unfortunately we have accumulated an enormous supply of burley tobacco.

We now have on hand 370 million pounds. The Government has an investment in this tobacco of \$220 million. About one-third of the burley crop of 1954 went into Government loan.

If we are to save this program and make it a success, it appears that it will be necessary for us to follow the advice of the Secretary of Agriculture and the experts in his Department. It was the Secretary himself who called this serious situation to our attention. Personally I dislike the idea, of course, of reducing the minimum acreage, but I believe that we should be willing to reduce the acreage to the extent necessary to

save the program, and for that reason I feel that I must stand by the subcommittee headed by the gentleman from Virginia [Mr. ABBITT] and to ask the House to pass the bill just as we have presented it without attempting to amend it in any way.

In conclusion, I want to say that time is very important, for soon the farmers will be planting tobacco. I believe that the farmers will in the referendum approve the program as it will be presented by Secretary Benson after this bill has been enacted into law.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. RIVERS. Does the gentleman believe that anybody with an acre of tobacco or less should suffer any reduction?

Mr. COOLEY. The situation is that about 64 percent of the producers of burley tobacco have less than seven-tenths of an acre. Is that right, I ask the gentleman from Virginia?

Mr. ABBITT. Yes.

Mr. COOLEY. The situation is entirely different in the flue-cured area. In the flue-cured area we have no minimum at all, the big grower and the little grower are treated exactly alike, but in the case of burley tobacco 64 percent is raised by men who grow under an acre of tobacco. I regret the necessity of having to reduce the minimum, but if we do not do it we may have to do away with the program entirely.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. PERKINS. I wonder if the chairman can tell the Committee what percentage of the total burley produced is grown by the 64 percent of the growers?

Mr. COOLEY. As I say, on account of my laryngitis I do not want to burden myself or the House with an effort to speak, but refer the matter to the gentleman from Virginia [Mr. ABBITT], chairman of the subcommittee; and I will yield to him now.

Mr. PERKINS. Sixty-four percent of the growers produce less than 30 percent of the crop. Is that correct?

Mr. COOLEY. I am not in a position to argue with the gentleman about it but I will yield to the gentleman from Virginia [Mr. ABBITT].

I yield 5 minutes to the gentleman from Virginia [Mr. ABBITT].

[Mr. ABBITT addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. KING].

Mr. KING of Pennsylvania. Mr. Chairman, as many of you know, I am opposed to the general principle of rigid price supports with the many restrictions and regulations necessitated by price supports. However, I am not opposed to this bill, because it merely provides for the restrictions necessary to keep the Government from loading up its storages with more tobacco.

It merely tightens the monopoly. I am sure it must be apparent to anyone who examines the complete tobacco program that it constitutes a tight monop-

oly legalized and supervised by the Government. If any group of producers in any other segment of our economy attempted the same thing, all of the principals would be promptly thrown in jail. In the field of agriculture, however, the antitrust laws are of no effect and force because so many Members of this Congress in the past have felt that agriculture was a peculiar segment of our economy which could not be operated on a free-enterprise basis with the law of supply and demand functioning.

Some feel that the law of supply and demand cannot work in agriculture, and yet in concocting the schemes of arbitrary control, they cannot ignore the fact that in the long run supply and demand must be balanced, regardless of Government action.

So here, now, we have recognition on the part of rigid price supporters that the tobacco program, which has been their pride and joy, has to have authority for more severe restrictions to keep the supply in hand. On this point I agree with them. In the remainder of our price-support programs, we have glaring evidence that our committee and this Congress has never had the nerve to impose restrictions severe enough to make the programs work. The fathers of this tobacco monopoly are smart enough to know, that, if they let tobacco accumulate in Government warehouses like the other surplus commodities, their deal might collapse from too much criticism.

I favor this bill for the very simple reason that, as long as we preserve rigid price supports, we must give the managers of the program authority to cut production to a point of positive adjustment with consumption. Even in Government-managed production programs the law of supply and demand does work and cannot be ignored.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. BURNSIDE].

(Mr. BURNSIDE asked and was given permission to revise and extend his remarks.)

[Mr. BURNSIDE addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Chairman, first I wish to thank the gentleman and my good friend [Mr. HOPE] from Kansas for his kindness.

We have a situation that calls for drastic action, because we are in a drastic situation.

To begin with, let me give you a little history of our problem that we face today. Many years ago our farmers throughout the country, particularly in Kentucky, the tobacco growers, were disheartened, disillusioned, disorganized and disappointed. Every time they came to the warehouse to sell their entire year's crop it was practically stolen from them. They were given 3, 4, or 5 cents a pound. They just could not make it with these horrible bids from these big tobacco companies. Imagine. A whole

year's hard labor in the heat and cold—all for absolutely nothing.

If you will pardon a personal reference, raising tobacco is a tough job. I am not a farmer myself. I am an attorney, but I was born and raised on a farm. What time I did not spend in an orphanage I worked on a farm and I know something about the trials and tribulations and hardships and miseries that these good people are subjected to. When you are out in the hot sun working "suckering" tobacco there is what is known as tobacco gum that gets all over you. It is a sticky substance. As a young hired farm hand I have sat down to eat supper with that gum on my overalls, and when I got up, the chair came up with me. If I leaned against the wall the wallpaper would come off with me. It's really like glue.

The difference between tobacco under no program, is 3 cents to 5 cents a pound, whereas under the program we have now it is between 45 and 60 cents a pound. That is what we are fighting for today, to preserve our entire tobacco program which is our economic lifeblood in the form of our cash crop.

There is a little story down home about an old farmer during the days when the Big Four tobacco companies were stealing the tobacco from our farmers. After they had weighed his wagonload of tobacco and figured the warehouse charges and storage charges they told this poor old farmer that he owed them 50 cents. He says, "I haven't got it. What am I going to do?" The warehouseman said: "The next time you come in, bring me an old red rooster." Two or three weeks later, the good farmer came in and he had two old red roosters. The warehouseman said, "What is the idea of bringing me two red roosters?" The poor old farmer replied, "I brought you another load of tobacco."

It may be funny now but it was not funny then and it is not going to be funny in the future because my folks down home, in the 4th district, together with the great 6th Congressional District which adjoins us, produces 75 percent of the burley tobacco in the great commonwealth of Kentucky.

I have been home. I have telegrams. I have letters. But I went home last week and talked to the folks. I walked out in the fields and I saw them burning their tobacco beds and I saw the big ones and the little ones and the middle-sized tobacco farmers. I asked them all just how they felt about this grave crisis and I said, "What do you want me to do? I am your Representative and I need to know your thinking about this cut in our tobacco program." I told them all that I was worried because I realized that overproduction was about to ruin us.

They said, "Is the cut necessary?" I answered, "The tobacco branch of the Department of Agriculture, together with our growers, warehousemen, and all other interested friendly experts say that the cut is imperative." They said, "Do those fellows in Washington tell you the truth?" And I told them I believed they did because one of our Fourth District boys headed the division—Clarence Miller, of Shelbyville, Ky. I then said

that I was reliably informed that we had 3½ years of surplus tobacco on hand now when a 2-year tobacco surplus was the red light—or danger signal. They said, "Do we have to be cut? We don't want to be cut any more than we want leprosy. We don't want it any more than we want to sleep with a rattlesnake. We don't want it any more than we want a hole in the head, but if it is necessary to have it, let us have it across the board. Take the little ones and the big ones, and make everybody take the cut."

That is what I am for, and I hope you will support this legislation on that basis. In my humble and honest opinion—that is the fair and equitable way to do the job. Make the cut across the board applying to everybody alike. Then let the farmers vote on it in a referendum.

I see my friend PERKINS here. I love him. He said the other day he was worried about his 4,000 little farmers. Well, I have 40,000 little farmers and I am worried about them just as much as he is. In fact, I am 10 times more worried than he is. My friend BURNSIDE of West Virginia, says that we are going to take the shoes off of his little fellows.

Let me tell you right now that you are fixing to take the socks off them, take their pants right off the back of their laps, take the food off their table, and take the shingles right off their roof. It reminds me of the story of the old colored preacher when he said they were going to have a baptism Sunday afternoon at 3 o'clock, that they were going to baptize the men at the north end of the church, the women at the south end, and the babies at both ends. Buddy, if this tobacco program goes down the drain, you are going to baptize all of us at both ends. But let me get back to our problem. If you are going to cut my farmers, that is all right, but cut everybody, the big ones, the little ones, the middle-sized ones. I hate to see any cut at all but we have no choice. We simply cannot have our cake and eat it too. Let us be fair about this thing. Vote down these amendments please and then vote for the bill and I just know that the good Lord will bless you all.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. ALBERT].

(Mr. ALBERT asked and was given permission to revise and extend his remarks.)

Mr. ALBERT. Mr. Chairman, I have no tobacco growers in my district, big or little, but I agree with those who have pointed out that if we are going to have any kind of farm program we must bring production and consumption somewhat into line. In this connection I would like to comment briefly upon the remarks of my good and able friend, the gentleman from Pennsylvania [Mr. KING]. I think his argument, in part at least, is indicative of a fallacy which is being repeated over and over again with respect to the farm program and is coming repeatedly out of the Department of Agriculture these days. The fallacy is that high, rigid, price supports are responsible for agricultural controls and

for our present surpluses. I do not think my good friend the gentleman from Pennsylvania believes that, because I know that he knows that if you support any of the basic commodities at 90 percent of parity, at 75 percent of parity, or at any point between 75 and 90 percent of parity, and do not control production, you are going to overflow the warehouses of the Commodity Credit Corporation.

It is not the fixed price-support program that is the cause of the surpluses; it is the failure to adjust production over the years.

We cannot have any program unless we have one based upon the willingness of farmers to adjust their acreage regardless of the point at which we support the price of agricultural products.

Mr. HOPE. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I yield.

Mr. HOPE. Is not the problem right now due basically to the fact that during the war when we needed greater production the farmers of this country were urged to expand their production. They did it to the extent of 47 percent above prewar. Now, since the war, our export markets have dwindled and we cannot absorb the production we built up.

Reducing farm production is a pretty difficult thing at any time and particularly under present conditions. It is not at all a matter of the level of price supports, in my opinion; it is a matter of finding a way to adjust supply to demand, and so far no one has come up with a more effective method as far as the basic commodities are concerned than acreage allotments and marketing quotas.

Mr. ALBERT. The gentleman has made the point I tried to much better than I could. I thank him for his contribution.

Mr. HOPE. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Chairman, I want to discuss this bill with the committee from a factual standpoint and try to leave with the membership a knowledge of what this controversy is about.

Early this year the Department of Agriculture called our attention to the critical condition in which burley tobacco found itself. Our Subcommittee on Tobacco asked them to come before our committee and make certain recommendations to cure the situation insofar as it could be cured. They came before our committee and they made certain recommendations. Those recommendations of the Department of Agriculture are embodied in this bill as it is brought on the floor here today.

We brought growers in from every State of the Union. We had big growers, we had little growers, we had associations, we had dealers, we had warehousemen. We heard from all segments of the economy. It became very apparent to our subcommittee that it was not a question of this minimum or that minimum or the other minimum. The real question in issue was whether we were going to have a tobacco program. Because of the shape it had gotten itself

into the tobacco program was going to collapse from its own weight. This bill, as I said, embodies all those recommendations.

There is one feature of the bill in controversy and only one. The bill provides that all growers shall take a 25-percent cut on the 1955 crop. The Department told us at that time that it was going to be necessary for them to impose a further 25-percent cut next year. This would make a total reduction in tobacco acreage of 50 percent over the 2-year period. Everybody said it was all right and fair to take those cuts.

So we agreed to this bill with a proviso in it that, after we passed the bill, it would be sent back to the growers in the various districts and that they, before May 1, would have a referendum among themselves to determine whether or not they favored what we had done. Mind you, before this support program goes into effect as modified, 66⅔ percent of those growers have to O. K. it. If that is not good democratic legislation, I do not know what is.

Now, to get down to the point in which we are in disagreement. When we had these people before our committee, they said, "Yes, the cuts must be made if the program is going to be saved." But, that is where we fell out. Everybody wants the program saved, but they want the other fellow to save it. Now, contrary to what anybody might tell you, the burley tobacco bases, industrywide and category by category, are so pitifully small that they are almost infinitesimal.

I want to cite you how the tobacco bases are broken down. Sixty-four percent of them are seven-tenths of an acre or less. Eighty-one percent of them are 1½ acres or less. Ninety and twenty-three one-hundredths percent of them are 2½ acres or less. Ninety-six and seventy-two one-hundredths percent of them are 4 acres or less. Bases of 10 acres or more amount to only seven-tenths of 1 percent.

Now, when the grower came in with the eight-tenths of an acre or nine-tenths of an acre, an acre or 1½ acres or 2½ acres, he says, "I will take this cut, but if I am going to be cut half in two, I think the little seven-tenths protected man ought to suffer some in order to save the program; if I am going to be cut from 1½ acres down to seven-tenths, he ought to be willing to make some small contribution toward saving the program." Most of the little growers that came before us said, "Yes, the cuts ought to be invoked, but they ought to be invoked on the fellow with the big basis." Well, when he is talking about a man with a big basis, he is talking about the 1½- and the 2-acre man. Of course, there are a few men with 5,000 or 6,000 acres of land, 10 in the United States, so I am advised, that have 100 acres, but that is a drop in the bucket when you consider that there is something in the neighborhood of 400,000 acres of tobacco raised.

Now, this bill that we have before us we feel is fair. As I said, you have 64 percent of the growers in the seven-tenths class now. When this 25-percent

cut goes on, you are going to have 75 percent of the growers in the protected class. With the 25 percent that the Department spoke about for next year, you are going to have 81.57 percent of the growers in this class. It is not right and fair to the man that has 1½ acres or 1¼ acres or 2 acres to have his base cut half in two and the other fellow not suffer any inconvenience at all.

I want to show you what has happened since 1946. Now, mind you, nobody with seven-tenths of an acre tobacco base or less has taken a single cut or a single one of these cuts that I am going to talk about. In 1946 the growers who had a tobacco base of over seven-tenths took a 10-percent cut. In 1947 those growers who had a base of over seven-tenths took a 19.4-percent cut. In 1948 those growers who had a base of over seven-tenths took a 2.2-percent cut. In 1950 those same growers took a 15-percent cut. In 1953 they took a 10-percent cut. In 1954 they took an 8-percent cut. Altogether, while the fellow with the seven-tenths base was protected, everybody whose base was above seven-tenths has been cut 70 percent already, and the Department says it is going to be necessary to cut them another 50 percent, and all we are asking in this bill is that the 64 percent of the growers who have small bases make some little contribution toward saving the program.

I regret that this piece of legislation which was started for the purpose of saving the tobacco program has developed into a fight over minimum acreage. I have little growers and I have big growers; and in view of the fact that up to this time the big growers—that is, if you want to call them big; most of them fall to under 2½ acres—have already suffered a 70-percent cut and are faced with another 50-percent cut. It seems only fair to me that the fellow with seven-tenths ought to be willing to yield one-tenth as a contribution to saving the program, in view of the fact that the fellow above him has already made a 70-percent sacrifice and is faced with a further 50-percent sacrifice.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BAILEY. Did I understand the gentleman to say that the farmers with minimum allotments of seven-tenths of an acre have not been reduced? Were they not reduced from nine-tenths to seven-tenths in the last 2 years?

Mr. WATTS. No minimum acreage of seven-tenths has ever been cut.

Mr. BAILEY. They were dropped from some higher percentage, were they not?

Mr. WATTS. Certainly. They were brought down and so was the 2-acre man who is down to less than an acre today. But the man with the seven-tenths base has never shared one single, solitary cut. Of course, many of them who had an acre or an acre and a quarter have now been dropped down to the seven-tenths-acre group.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. WATTS. You are going to wind up with a situation where a fellow with four-tenths or five-tenths acres, whose tobacco is more or less a supplement to his income—many of these small bases are town lots where a fellow plants a little tobacco, who has other sources of income—you are going to wind up where the fellow with a thousand acres of land and a great deal invested is going to have the same size base as the fellow with a very few acres.

I do not want to cut anybody's tobacco base. It is the most unpopular thing in the world to talk about cutting tobacco bases. But since the cut must come, let us have some semblance of fairness in the situation. Let us treat everybody alike.

I realize that you cannot cut these minimum bases too much. It would work too great a hardship. This bill does not do that. This bill was a compromise from the start. The bigger growers did not want any minimum base. The little growers did not want to be cut at all. The Department of Agriculture recommended five-tenths and your committee set it at five-tenths. That means that the big grower—and I am talking about a man with an acre and a half or with 2 acres—is going to get whacked half in two and all that they ask the seven-tenths man to do this year is to yield one-tenth in order to save the program.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BAILEY. The trouble is that when the allotment program was set up, as I recall back in 1946, the argument was made that some groups of burley tobacco growers were getting a higher acreage allotment than they were entitled to. Let me get across to the gentleman the idea that these small burley tobacco growers in West Virginia have been complaining about the acreage allotment since it was set up, saying that they were not accorded sufficient acreage in proportion to that which had been given to other burley tobacco growers. That has been the condition and that has been the argument through the years.

Mr. WATTS. If the gentleman will permit me to reply to that, I will say that I have never seen a burley tobacco farmer yet who was not complaining, whether he had one-tenth, five-tenths, or an acre. They all want more. I was not here at the time, but the gentleman told me he was, when the law was passed. But when we set up this quota program, they took the immediately preceding 5 years of production, added them together, divided by 5, and that was your tobacco base.

The CHAIRMAN. The time of the gentleman from Kentucky [Mr. WATTS] has again expired.

Mr. HOPE. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I certainly will support any bill this committee finally approves because we must

have the tobacco program. I hope the bill is amended to let the present law of seven-tenths of an acre minimum stand.

I regret that so much has been said that if the minimum is cut we will have no tobacco program. I just do not go along with that because I do not believe it.

Today I received a letter from Salyersville, Ky., dated March 23, 1955, from B. F. Adams. How much of an allotment did he have in 1952? He had a 1-acre allotment. If this bill goes through this House without amendment, next year how much will he have? He will have one-half an acre. He says:

In 1952 I had a 1-acre base; in 1953 a nine-tenths acre base; in 1954 an eight-tenths acre base, in 1955 a seven-tenths acre base, which they propose to reduce to six-tenths or a loss of 40 percent in 3 years.

The chiseling is what's ruining the tobacco business, raising extra tobacco on a remote part of their farms and selling it on their regular white card.

Then he goes ahead and offers suggestions.

There have been a lot of figures quoted.

In Kentucky alone we grow about 70 percent of the supply of burley tobacco in this Nation. In Kentucky alone we have 244,000 base acres of burley tobacco. How is that 244,000 acres divided up? Let us look. These are Department of Agriculture figures. We have in Kentucky 79,300 small producers, more than half of the farmers, that have a tobacco allotment with a base of seven-tenths or less. The other 78,000 have 199,000 acres. It averages 2.6 acres per farm.

Many of you have grown tobacco. In the Bluegrass, Mr. WATTS' district, it averages 1,800 or 2,000 pounds to the acre and averages 50 or 55 cents a pound.

I believe sincerely that the chairman of this committee does not strenuously object to maintaining a minimum-acreage program. The question here is whether we are going to maintain a minimum-acreage program. That is the question. This is a move to destroy the minimum-acreage program. Here is a small farmer in Magoffin County, Ky., where tobacco has been grown for 75 years. If we cut him down, next year he will be down to five-tenths of an acre. Where are we going to establish this minimum? That is the question. I believe sincerely that the gentleman from North Carolina and the gentleman from Virginia [Mr. ABBITT] well realize that putting this little farmer down to five-tenths of an acre next year is going to destroy the minimum-acreage basis.

Mr. Chairman, referring to the group that we ordinarily describe as the large growers, I want you to know that in Kentucky alone 78,000 of them cultivated approximately 199,000 acres, and the other 79,000 cultivated approximately 45,000 acres. Everybody is willing to accept a cut. But these farmers have accepted a cut all through the years. Two years ago the minimum was established as seven-tenths of an acre.

Mr. WATTS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield.

Mr. WATTS. Has any man with a seven-tenths-acre base ever suffered a cut?

Mr. PERKINS. No; the minimum in 1952 was nine-tenths of an acre. But if you bill passes the eight-tenths-of-an-acre man of last year will grow six-tenths of an acre this year, which is a cut of 25 percent, and be cut down to five-tenths of an acre next year. I ask the gentleman if that is not the provision of your bill?

Mr. WATTS. The bill would certainly call for a further cut. But I would like to point out to the gentleman that while the eight-tenths-of-an-acre man is taking that same cut, the acre man is taking the same proportion of a cut, and the 2-acre man and the fellow who already had a 70-percent cut is also going to have his base cut half in two. The gentleman will agree with me that that is correct; will he not?

Mr. PERKINS. It gets back to the question of equity again. Are we going to have a minimum-acreage program? Seven-tenths of an acre today will produce about \$450. If we intend to take that away from these farmers who have been raising tobacco in an area for 75 or 100 years, you are going to destroy the program then—that is when you are going to destroy this program.

The 79,000 Kentucky burley growers with base allotments of seven-tenths of an acre or less include less than 50,000 that are at the minimum of seven-tenths of an acre. The majority of these were reduced to this point when the minimum of nine-tenths was reduced to seven-tenths of an acre in 1952. If each of these small producers is reduced to the five-tenths minimum, even though many of them originally had more than one-tenth acre base, the total acreage involved would be something less than 10,000 acres; or only 5 percent of the total base of all the Kentucky growers with base allotments of eight-tenths of an acre or more.

To insist that the program would be destroyed unless this 10,000 acres is taken from the combined base allotment of the little growers is the height of folly. It is also highly questionable in my mind if we actually face a reduction of 25 percent in 1955 and another 25 percent in 1956. In fact, if I can understand production figures, the actual reduction will not be 25 percent in 1955, and if it is as much as 25 percent in 1955, in my judgment, there is no probability of a further cut in 1956. It is more likely that the 10-percent reduction from the current base allotments will start reducing the carry-over that is now only slightly larger than necessary to allow burley tobacco to age sufficiently to make it usable.

Production of burley tobacco approached its current level in 1944 when the crop was approximately 590 million pounds. In 1946 it was 614 million pounds followed by a drop in 1947 of 485 million pounds. The next year it was 603 million pounds, back down again in 1950 to 499 million pounds, followed by an upward trend to reach a peak production of 650 million pounds in 1952, followed by 564 million pounds in 1953.

The 1954 crop may exceed 640 million pounds, nearing the all-time peak record of 1952.

The fact that the crop averaged between 1944 and 1949 better than 575 million pounds per year without creating any problems of a surplus indicates that very little reduction from the current level is in order. In fact, one bad crop year which we have periodically in the burley tobacco belt of Kentucky would solve all our surplus problems.

If we are that near a solution of a surplus in burley tobacco, why are the larger producers yelling about the danger of a 25-percent cut this year to be followed by an additional 25-percent cut next year? It is my considered opinion that most of the noise is the result of an attempt to eliminate the minimum. Every Member of this body that comes from a burley tobacco-producing area is in favor of the program. It is simply a question of what is the most equitable plan for its operation.

Mr. COOLEY. Mr. Chairman, I yield the remaining time to the gentleman from Virginia [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I have listened with great patience to the discussion of this program, and while I am a newcomer to the Congress, there is one thing that worries me just a little and that is why are the little farmers in trouble, because everyone seems to be for the little farmers. I cannot understand for the life of me how they get into such predicaments because everyone seems to be for them. The truth of the matter is that I served on this subcommittee and I attended every single meeting. It was a real pleasure for me to serve with this distinguished body and I went into the burley matter in great detail. I feel, as some of my distinguished colleagues here feel, that to take a cut under this program is going to be disastrous to the little farmer.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. PERKINS. I am sure the gentleman from Virginia would be glad to go along if an amendment is offered for seven-tenths and I know you will support the six-tenths of an acre, if the seven-tenths amendment should fail.

Mr. JENNINGS. I will go along with anything that I think will save this program. I believe your amendment will do it, and I will go along with it.

As I stated, I attended every one of these subcommittee meetings. I was pretty well convinced that to reduce this program would be disastrous until I went down and talked to some of my farmers. I went down with the Department of Agriculture officials and we held meetings. My big farmers and my little farmers told me to do what was necessary to save this program.

I think it is necessary to save this program for the big man, and the little man as well.

There is something that has disturbed me and my growers. That is the fact that we have a large group of after 4 o'clock and Saturday farmers who are in competition with the people who grow this tobacco. We have a group of people

who work in factories and industrial plants and after 4 o'clock and on Saturdays they, together with their wives and children raise burley tobacco. It is in competition with the farmer who has to depend solely upon the income from his tobacco for his entire livelihood.

There is a great deal of dissatisfaction among the farmers about the administration of this program, but the committee has talked to the people in the Agriculture Department who are charged with the enforcement and they agree that the administration can be tightened and that they can help in any inequities that exist.

I introduced a bill and it was reported out of the subcommittee, to take care of what I think to be one of the flagrant violations. That is, the growing of an excess or red tag tobacco. This bill provides that a 75-percent penalty will be placed on all excess or red tag tobacco. I think that will go a long way in helping to reduce the excess.

The real trouble with this program is just this: In 1940 we were raising 11,305,000 pounds of tobacco in Virginia. We have taken all these cuts down through the years. We have reduced the big farmer and we have reduced the little farmer until in 1954, while we were raising 11,305,000 pounds of tobacco in 1940, we are now raising more than twice that amount of tobacco, 24,975,000 pounds. The trouble is we are putting manure and fertilizer on this smaller acreage and we are growing a higher nicotine tobacco and what we are going to have to do is to raise a better quality tobacco or some "de-cancer" tobacco.

Let us do whatever it takes to save this program. That is what I want. That is what my farmers want, and that is what the people want—to save this program.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That notwithstanding any other provision of law—

(1) the Secretary of Agriculture shall, within 10 days after enactment of this Act, redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year on the basis of the latest available statistics of the Federal Government, apportion such quota among States, convert the State quotas to State acreage allotments, and allot the same among farms pursuant to and in accordance with applicable provisions of law: *Provided That* burley tobacco marketing quotas and acreage allotments heretofore established for the 1955-1956 marketing year shall not be effective, but the preliminary burley tobacco acreage allotment for any farm determined under section 725.616 of the burley and flue-cured tobacco marketing quota regulations, 1955-1956 marketing year, issued by the Secretary of Agriculture (19 Federal Register 3549), shall not be reduced by more than 25 percent (except for reductions under section 725.619 of said regulations);

(2) burley tobacco farm acreage allotments of seven-tenths of an acre or less heretofore determined for the 1955-1956 marketing year when redetermined pursuant to paragraph (1) of this act may be reduced but not more than one-tenth acre: *Provided, however, That* no allotment of five-tenths of an acre or less shall be reduced under this section;

(3) Within 20 days after the issuance of the proclamation of the national marketing quota for burley tobacco for the 1955-1956 marketing year as redetermined pursuant to paragraph (1) of this act, the Secretary of Agriculture shall conduct a referendum of farmers who were engaged in the production of the 1954 crop of burley tobacco to determine whether such farmers are in favor of or opposed to such redetermined quota. If more than one-third of the farmers voting in the referendum oppose such redetermined quota, the Secretary of Agriculture shall, within 30 days after the date of the referendum, proclaim the result of the referendum and (1) no quota for burley tobacco for the 1955-1956 marketing year shall be effective thereafter, and (2) no price support shall be made available on the 1955 crop of burley tobacco; and (4) Public Law 528, 82d Congress (66 Stat. 597), is hereby amended, effective for the 1956 and subsequent crops of burley tobacco, to read as follows: "The farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) five-tenths of an acre, or (3) 10 percent of the cropland: *Provided, however,* That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any one year. The additional acreage required under this act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota."

With the following committee amendments:

On page 1, line 4, strike "the" and insert "The."

The committee amendment was agreed to.

Committee amendment: On page 2, line 16, strike "burley" and insert "Burley."

The committee amendment was agreed to.

Committee amendment: Page 3, line 14, strike "tobacco; and" and insert "tobacco."

The committee amendment was agreed to.

Committee amendment: Page 3, line 15, strike "(4)" and insert "Sec. 2."

The committee amendment was agreed to.

Committee amendment: Page 4, line 4, insert the following:

"SEC. 3. Section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding immediately after the first sentence thereof a new sentence to read as follows: 'Any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955, or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments.'

"SEC. 4. The last sentence of section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding in the last sentence thereof immediately following the language 'if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary' the language 'or if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm required by regulations issued pursuant to this act.'

"SEC. 5. Section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended, effective July 1, 1955, with respect to flue-cured tobacco, and October 1, 1955, with respect to other kinds of tobacco, by striking out the figure '50' therein and inserting in lieu thereof the figure '75.'"

The committee amendment was agreed to.

Mr. BURNSIDE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURNSIDE:

On page 2, strike out lines 16 to 22, inclusive, and insert:

"(2) No burley tobacco farm acreage allotment of seven-tenths of an acre or less shall be reduced under this section;

On page 3, strike out line 15 and all that follows down through line 3 on page 4.

Mr. BURNSIDE. Mr. Chairman, as I stated before, the tobacco program requires 2.8 years for determining. We have now 3½ years' supply, so these recommendations that are made would take care of most of this.

Mr. Chairman, I have often heard one of our colleagues from North Carolina use for an illustration a catfish story. He said, "Now, catfish, hold still, I ain't going to hurt ya! I'se just going to gut ya." Well, the mountain farmers are in a position like the catfish, but they have never been known to take a gutting lying down. There is quite a contrast between that lush bluegrass country and the living conditions of our mountain farmers.

In the bluegrass country where they have large tobacco acreages of over a hundred acres per farm and where they raise—maybe I should use the cultural term of "rearing"—splendid racehorses, what more beautiful picture do you want than these gorgeously groomed animals prancing on luscious bluegrass. It seems to me to be a shame not to grow bluegrass. Not only do racehorses love it, but cows think it the ultimate in contentment. Now, these wealthy racehorse folks have been more and more adding to their poundage of tobacco. They are producing about three times as much per acre as some years back. They use that stable manure from these thoroughbreds and make tobacco grow like these horses run.

Really, friends, what chance does our little cabin farmers on a mountainside in West Virginia, South Carolina, North Carolina, Georgia, Virginia, Kentucky, and Tennessee have against such luscious mint julep surroundings.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BURNSIDE. I yield for a brief question.

Mr. COOLEY. I think that the average acre yield in North Carolina is greatly in excess of that for Kentucky that the gentleman has mentioned.

Mr. BURNSIDE. The burley yield is greater. Kentucky produces over 75 percent.

Mr. COOLEY. The per acre yield?

Mr. BURNSIDE. I do not know about that particular point, but it is certainly true that 50 percent of the burley producers in Kentucky produce 16 percent of the tobacco. The lush yield the gentleman from Kentucky was talking about a few minutes ago I think must be in those areas where they use this thoroughbred manure. I do not have time to yield further.

Let us look at how the nine-tenths to the seven-tenths burley farmer has

been gutted in the last 2 years. The small burley producer suffered a cut of over 22 percent of their acreage. According to figures published by the Department of Agriculture in their annual report 1944-54, the big burley farmer took only a cut of 10 percent in 1953 and a cut of 8 percent of the balance in 1954. This would add up to approximately a 17 percent cut for the 2 years. In the case of a 50-acre allotment farm, there would have been a 17.2 percent cut. Now, remember colleagues that the nine-tenths to seven-tenths farmer took over a 22 percent cut. Now, with both figures in percentages we can see that in our last cut the small burley producer was hit much harder than the large producer. There is a differential of almost 5 percent. Remember, now, that the cash received for their tobacco crop is the only money earned by many of these mountain folk in the Allegheny region. At five-tenths of an acre, these people would have less than \$300 cash net per family. This House allowed inequities in the last cut. I am here to ask that no further inequities be dignified by law. Not only should we refrain, gentlemen, from giving the big burley producer the legislative breaks as has been done in the last 2 years, but we must consider the personal needs of the thousands of families all over the mountain area who will suffer terribly if prevented by the House from making a decent living by passing additional cuts in their acreage. The 10- to 20-acre farmers have about as much acreage as the State of West Virginia, Missouri, Georgia, Kentucky, Arkansas, Alabama, Indiana, and North Carolina combined.

I also notice in checking the 1955 burley acreage allotments that there are 40 farmers in the United States who produce more tobacco than is produced in the entire State of West Virginia. I notice that there are 10 farmers who produce more than one-third of the entire acreage of the State of West Virginia. I also notice that there are 400 farmers who are producing over 20 to 50 acres which, would run many times the allotments in the State of Ohio and in the State of West Virginia put together.

Gentlemen, anyone can see that cutting from nine-tenths to five-tenths acreage in 4 years is such a drastic blow, for it reduces these farmers to a \$300 cash income a year per family. I feel positive that most of the people here do not want to put additional families on relief. If this bill is not amended, that is exactly what we would be doing. Do you think, gentlemen, that after we raised our own salaries, that we can in good conscience cut these little farmers' incomes from \$500 to \$300 per family per year. I am leaving this to your conscience.

(Mr. BURNSIDE asked and was given permission to revise and extend his remarks.)

Mr. JENKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, everybody recognizes the fact—we have proven it in the United States—that crop controls are necessary both in quality and in acreage. But the

thing might develop into a real serious proposition if we get to the place where the big tobacco growers all speak on one side and the little tobacco growers speak on the other side. That is where we have come today. We ought to be careful, because when we put in crop control it was not intended that the little fellow be run out.

Let me give you some experience. You talk about a 10-percent reduction. Whenever you cut this little fellow, that is down to seven-tenths of 1 acre now, down to where he is going to have three-tenths, he will quit. On the other end of it, you have the big fellow who will not quit. You cut him 20 percent, or whatever you want to, and he will not quit. But you are going to cut our little fellow down to where we are going to quit. We are going to have to quit.

In my State we do not have any big producers. We have some maybe with 10 or 15 acres. I do not know of anybody in my district producing much tobacco, perhaps two or three hundred along the river across the great State of Kentucky. But we do not have any big tobacco farmers like they have in the Bluegrass section. I implore you Bluegrass people to have some compassion on our little fellows in the hill country. That is where we get our money to feed our children.

Let us not carry this thing so far that you are going to put a burden on a fellow that cannot carry the burden. Do not take all of my tobacco people and put them out of business. You have to be careful. I am no expert on this and I do not claim to be, but I just know that the little fellow in my section just cannot stand very much more.

I have been very proud of one thing in connection with the tobacco business, and that is the way the Government runs it. We have a big warehouse in Huntington, W. Va. The farmers take their crop over there. There is also a warehouse down in Maysville, Ky. The farmers take their crop down there. The Government has a man there whom they can appeal to. He inspects the quality. He keeps them from being run over. They do not get squeezed out.

Here today I implore you not to squeeze the little fellows out. Why do you want to worry about seven-tenths or six-tenths? It does not mean much to you big fellows, but it does mean a lot to the little fellows. If you cut him down to five about half of my people are going to quit.

Mr. Chairman, I shall vote for the pending amendment.

[Mr. BAILEY addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. ABBITT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I realize that the time is getting late, and I do not want to trespass on the time of the members of this Committee, but this is a vital question. I feel if this amendment is adopted, it will be useless to pass this bill, and I am serious about that. There will be no prospect of correcting our program. Now, if you members want to wreck the program

of the burley tobacco growers, if you want to vote out quotas and have no protection, no support price, the best way I know to do it is to vote for this amendment.

Now, these gentlemen from West Virginia are complaining, and I know they are in bad condition out there, but they are far better off than we are in Virginia. In Virginia we have 13,000 acres of tobacco and 18,000 growers. In West Virginia they have 3,000 acres of tobacco and probably 4,800 growers. So, you see they are in far better condition than we are. And I have yet to hear a single tobacco grower in Virginia that is objecting to this proposal, because they feel it is necessary that something be done to save the program. We are either going to save it, or else we will have no tobacco program. I will tell you that if the burley tobacco program goes down, the dark-fired and the flue-cured will go down and all the others.

Mr. CHELF. Mr. Chairman, if the gentleman will yield, and if this bill does not pass, we will spill our economic lifeblood all over the place. You talk about troubles. We will have troubles.

Mr. ABBITT. Yes. And they are raising more tobacco on the five-tenths now than they used to on an acre.

Mr. Chairman, I have a letter from Mr. McConnell, Assistant Secretary, who recommends that we pass this bill as is and submit to the growers of burley tobacco the question of whether or not they want to accept the allotments as re-determined by the Secretary of Agriculture.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I agree with the statement just made by the gentleman from Virginia [Mr. ABBITT]. This is the vital and the important part of the bill. If we are going to control the production of tobacco so as to keep production in line with reasonable consumer demand, it is necessary for the Secretary of Agriculture to have authority to make necessary reductions in acreage allotments, and this he cannot do unless the provision for minimum allotments is changed, or unless the minimum allotment is repealed.

I am somewhat surprised at my distinguished friend from Ohio speaking in opposition to the views of the great Secretary of Agriculture, Mr. Benson. This is one instance in which I am willing to follow Mr. Benson's recommendation because I think it is an intelligent recommendation.

Mr. JENKINS. If the gentleman will yield, he does not come from Ohio.

Mr. COOLEY. I know he does not. I can easily understand how all these Members from the burley areas are disturbed over the little grower. Certainly it is not a pleasure for us to advocate a reduction of a minimum acreage. But the fact remains that in my area where flue-cured tobacco is grown we do not have a minimum. We did have a minimum in the cotton bill and we found out it would not work. I think it is a matter of time when we will have to do away with this minimum completely.

I urge the Members of the House to vote against the pending amendment

and to stand by this subcommittee on tobacco and approve this bill just as it was brought to the House.

Mr. WATTS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I apologize for rising again so soon. But it is my recollection that I have taken more time on the floor today than I have since I became a Member in 1951.

Your committee realized what this problem was, they realized that there was a problem. As I pointed out to most of the Members a few minutes ago, the average burley tobacco base is only 1.1 acres. Sixty-four percent of those bases are seven-tenths of an acre or less. The Secretary of Agriculture told us we were going to have to reduce our acreage 50 percent. We called in the growers. They said, "We recognize we are in trouble. We know we are going to have to take a cut and we are willing to accept a 50 percent cut. But we think in all fairness that since we have taken a 70 percent cut in the last 6 years and we are going to have to take a 50 percent additional cut in the next 2 years, those fellows in the seven-tenths group ought to make some infinitesimal gesture toward carrying their fair share of the load."

The Secretary of Agriculture recognized that. Our committee recognized it. We had two groups who testified. One said it is necessary to wipe out the minimum. The other said, "No, you cannot touch the seven-tenths man. You have to go back and take this 50 percent off of the eight-tenths man, the nine-tenths man, the 1 acre man, the acre and a quarter man and the acre and a half man. We are a sacred group. We should let you save the program. We realize the cuts must come. We want it saved, but we want you to save it. We do not want to make a small contribution toward saving it."

Our committee did not hurt them very much, not half as much as the ones above them. They merely said, "While the other fellow above you is getting his base cut half in two, we ask you to make some small gesture and surrender some of your base in behalf of saving the program."

I will say today that if this minimum is not reduced and the other growers—and they represent 50 percent or more of the vote, even though there are not as many of them, because in this program every man and his wife, every tenant and his wife, and their sons all vote. And even though they own 36 percent of the bases above the minimum, counting the tenants and their wives—and an average farm that has a 2-acre tobacco base has tenants on it—when you break it up among tenants, it is not seven-tenths apiece for the folks that grow it; but they want some gesture made by the little man to help save the program. Goodness knows, I do not want to hurt anyone, but the growers will vote this program out just as surely as it is put to a vote, if the cuts are not fair.

I realize if we cut the little man too much they will vote it out. I realize if we do not make some gesture toward letting the seven-tenths man, who has

being protected throughout the years, make some contribution to this program, the larger growers will vote it out. If you adopt this amendment, all you are doing is saying to the acre man, the acre-and-a-quarter man, the acre-and-a-half man, "Yes, I know your back is sore, you have taken a 70-percent cut already, but we are going to put the whole 50 percent on you. We are not going to require the other fellow to share any part of it."

I ask you in all fairness, and in order to save this program, please do not support this amendment.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Kentucky.

Mr. CHELF. I might say that I know how the gentleman feels. I know certainly how I feel about my folks. This is the first time I have ever come before the House and asked them to hurt my folks, but we have got to be hurt or we are going to be killed in this thing. It is like taking a big dose of castor oil, we have to hold our nose and take it down whether we like it or not, because the program is at stake and our lifeblood is at stake. If they had any sense they would know it.

Mr. WIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to take the 5 minutes, but because of the patience I have had in trying to give the little fellow a vote around here, I think I ought to try to make some contribution and I do want to make that contribution by saying this: Whatever happens to this bill, after what I have heard here this afternoon about my chewing tobacco, you are going to lose one of the best customers tobacco has.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. BURNSIDE].

The question was taken; and on a division [demanded by Mr. BURNSIDE] there were—ayes 30, noes 54.

So the amendment was rejected.

Mr. BASS of Tennessee. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BASS of Tennessee: On page 2, line 21, strike out "five-tenths" and insert "six-tenths."

Mr. BASS of Tennessee. Mr. Chairman, my good friend and colleague from Kentucky [Mr. CHELF] has been saying all afternoon, "Hurt me a little bit, cut me a little bit, but do not kill me." Now I am giving him his opportunity. This will allow the cut, it will reduce the minimum acreage from seven-tenths of an acre as it is now to six-tenths of an acre, but it will not kill the little man, it will not destroy the program. It is a compromise. We have to do that many times in legislative matters. In fact, this was discussed in the subcommittee of which I am a member, that is the tobacco subcommittee. We called a representative from the burley tobacco area and gave them an opportunity to come before the committee. The question was put before the committee, "Would you agree to a six-tenths amendment?" Every person there, including the non-

members of the committee who were from the burley belt, agreed except one. All except one agreed to the six-tenths amendment in the committee meeting. I find no serious objection to it anywhere. I would like to tell you this one thing. Just about a month ago we came before this body and we asked for more cotton acreage allotments. We do not need any cotton, we have cotton coming out of our ears in the warehouses. We have all the cotton we could possibly need, but we came before the House and pleaded with this body for an additional 3 percent allotment to be added to the quota which was established for 1955. Now why did we do that? We did it because we said that we had created a social problem because the little cotton farmer could not make a living. What brought that about was prior to last year we had a minimum acreage requirement in the cotton law. The little cotton farmer was allowed to raise cotton. But we eliminated that minimum. We created a situation where we had to come back this year and ask for more cotton acreage in order to take care of the little man. Let us not do that with tobacco. Let us not have to come back here and say, "We have all the tobacco we can possibly use anywhere in the world, but if we reduce the acreage and continue to reduce the minimum acreage, we will create a serious social problem whereby we will be forced to ask this body to vote additional acreage which we do not need, just in order to take care of those people who absolutely must be allowed to make a living if any marketable program and quota program is allowed to exist."

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BASS of Tennessee. I am glad to yield to my distinguished chairman.

Mr. COOLEY. It is a fact that after the bill had been considered by the subcommittee of which the gentleman from Tennessee was a member, and it was reported to the full committee, when the final vote came in the full committee, there was only one dissenting voice in opposition to the bill which we now have before us in the form in which it was presented by the committee?

Mr. BASS of Tennessee. The chairman is an able gentleman.

Mr. COOLEY. That is right, is it not?

Mr. BASS of Tennessee. That is absolutely so, Mr. Chairman. That is true, but I would also like to call your attention to the fact that when that bill was brought to the floor by my distinguished chairman a few days ago, there was quite a bit of objection to it, it did not pass, and there was more than one dissenter at that time. I believe there are more dissenters here this afternoon than there were at that time. This amendment of mine is nothing but a compromise amendment. I would like to see the 0.7 amendment passed. I was for the other amendment. I did not say a word on it. I did not come down to the well of the House and ask you to vote for it, because we realize we must have some cut. I am for the cut. I have worked and helped to prepare the very bill which is before this Committee today. I have

attended the hearings and I have done everything I possibly could. We realize we must have a cut in tobacco acreage, but certainly you can compromise and at least let the 0.6 of an acre man continue to grow tobacco. That is all I ask. Nobody is going to get hurt. If we approve this amendment, it is not going to destroy the tobacco program. Nobody can say that and be truthful about it. It is just not going to do it because in the case of the little man the minimum acreage requirement is not what has caused the trouble in the tobacco program. When the Secretary of Agriculture sent his representatives before the committee hearings originally, they did not recommend reducing the minimum acreage. They said take a look at it, but they did not say that is what is wrong with the program. They told us what was wrong with the program and then later on after the bill had been introduced, and after the subcommittee hearings were held and recommendations had been made, they did approve it.

(Mr. BASS of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. HOPE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have to be realistic about this matter. If we are realistic we cannot overlook the fact that while it is true the minimum acreage has been cut from time to time, and it may seem small at present, it is a fact also that the yield per acre in the last 10 years has almost doubled. So that when you say a producer has been cut down in his production, you are not stating the fact. The cut has been in his acreage. But it is not acreage that we are dealing with; it is production which causes the surpluses.

We are also dealing with a type of agriculture where almost everybody is a small farmer. No one wants to hurt the small farmer, of course; but here you have a type of agriculture that is composed mainly of small producers. Further than that a very large proportion of them are people who are engaged only partially in agriculture. Many are part-time farmers. Others depend largely on other crops or livestock. Everyone knows that on seven-tenths of an acre or half of an acre of tobacco you cannot make a living. Anybody who grows tobacco on such a small acreage obviously must have some other source of income. So whatever you do in dealing with the minimum you are not depriving any farmer of his main source of living.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HOPE. I will yield later if I have time. I have not had very much to say on this bill and I would like to proceed uninterruptedly for a moment or two.

I am in favor of a minimum. I want to keep a minimum allotment. But when five-tenths of an acre is producing almost as much as an acre would produce 10 years ago, and when production is exceeding consumption, everyone, I think, is going to have to take some reduction if a practical program is to be maintained.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. ABBITT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I concur in what the gentleman from Kansas [Mr. HOPE] has said, but since this bill has been reported from the committee the Department of Agriculture has had its representatives in every State and every section where burley tobacco is grown. I hold in my hand telegrams from those field representatives. I will not take the time to read them, but the large sentiment is that the growers are willing to go along and do whatever is necessary to carry on this program.

We thrashed out in our subcommittee this question of five-tenths or seven-tenths. A number of our people wanted to cut out the minimum entirely. Some thought it should be seven-tenths. Then, as a compromise matter, I proposed a five-tenths percent and that the seven-tenths be cut one-tenth of an acre per year. That was finally adopted with but one dissenting voice. I hope the Members of the House will stay by this bill because, as was pointed out by the gentleman from Kansas [Mr. HOPE], a man who has a five-tenths of an acre crop today is producing more than he was 10 years ago.

Mr. BURNSIDE. Mr. Chairman, will the gentleman yield for a correction?

Mr. ABBITT. I yield.

Mr. BURNSIDE. There was a meeting after the vote on the floor, and 15 or 16 Congressmen were at that meeting and only 2 voted against the six-tenths of 1 percent minimum and the rest voted for it.

Mr. CHELF. Do not include me, because I was not there.

Mr. ABBITT. I desire to express my appreciation for the fine work that the gentleman from Virginia [Mr. JENNINGS] has done in behalf of the burley tobacco growers. He has worked constantly on their problem and has been a real asset to our subcommittee. I know his growers will benefit from his fine work.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WATTS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will not belabor the committee on anything except to say that the same argument I made in regard to the other amendment applies to this one.

There are about 50 Members of Congress who represent the burley industry. There was a meeting constituted mostly of those who were opposed to reducing the minimum. I think the committee heard all of the evidence. I was there. I heard it.

This committee followed the advice of the Department of Agriculture. If you want a sound tobacco program—and it is very seldom that you ever hear a commodity coming to this floor and asking for a reduction. I know other commodities have said they needed a larger base.

We have brought to you the very best bill we could in the light of all the circumstances. We compromised as between the two groups. One is asking to maintain the .7 of an acre; the other wanted to wipe it out. I think the bill

is fair; I think it has had due consideration and I hope the committee will support it.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. CHELF. Let me say this, Mr. Chairman, this is one piece of legislation that has absolutely not cost the Federal Government one cent. The fact of the matter is the tobacco program has turned money into the Treasury.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word.

Mr. ABBITT. Mr. Chairman, will the gentleman yield for a consent request?

Mr. PERKINS. I yield.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at the end of the statement to be made by the gentleman from Kentucky [Mr. PERKINS].

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PERKINS. Mr. Chairman, I certainly will not consume but a couple of minutes at this late hour. Personally, I regret that the bill was called up this time of the day, and on a Thursday afternoon.

Answering the gentleman from Kansas [Mr. HOPE], it is true that many of these small farmers raise other crops and livestock to supplement their income. These are the more fortunate ones. Many of them have no other income except from their tobacco crop, but generally raise livestock for their own personal use. The whole northern part of the district that I represent has a tobacco economy. Over a period of years these growers have built up their farms, and elevated their standard of living. The same thing holds true in many counties all through Kentucky.

No individual wants to do any harm to our tobacco program which means so much not only to Kentucky but to the Nation. The only question here is one of equity. I feel that it is unjust for the small grower to take the cut provided for in this bill. I was glad to support the amendment offered by the gentleman from West Virginia [Mr. BURNSIDE]. Since the Burnside amendment has been defeated, I urged the Members to support the amendment offered by the gentleman from Tennessee [Mr. BASS].

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Virginia.

Mr. JENNINGS. I want to point out, as I stated a while ago, that I am interested in saving the program. The acreage has got to be cut and I still think it can be. I am going to vote for this six-tenths of an acre.

Mr. PERKINS. The gentleman thinks this amendment should be adopted?

Mr. JENNINGS. Yes.

Mr. PERKINS. I certainly want to thank the gentleman from Virginia [Mr. JENNINGS] for the contribution he has made in behalf of the small grower. He has worked diligently for a sound minimum acreage program.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 44, noes 71.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SIEMINSKI, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes, pursuant to House Resolution 189, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them engrossed.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. KILBURN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KILBURN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. KILBURN moves that the bill be recommitted to the Committee on Agriculture.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

THE LATE JOHN W. DAVIS

(Mr. BAILEY asked and was given permission to address the House and to revise and extend his remarks.)

[Mr. BAILEY addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, of course, the people of South Carolina are deeply distressed to learn of the untimely death of our adopted citizen, the great and eminent and constitutional giant, John W. Davis. He had been making my native city of Charleston his winter home for a number of years. He was stricken just recently. We adopted him because we loved him. He represented my district in the segregation case before that

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 31, 1955
For actions of March 30, 1955
84th-1st, No. 57

CONTENTS

Acreage allotments.....1,3	Foreign aid.....4,16,32	Seed.....50
Adjournment.....23	Forestry.....19	Small business.....10
Appropriations....12,27,53	Fruits and vegetables...3	Standard time.....43
Atomic energy.....22	Grain.....37	Sugar.....35
Claims.....12	Health.....17	Surplus commodities.4,26,40
Commission.....8	Lands, reclamation2,19,29,33,68	Surplus property.....61
Committee assignments....9	Loans, farm.....55	Tariffs.....14,48
Cotton.....3,26,57	Marketing.....41,50	Taxation.....14,25
Dairy industry.....45,60	Marketing quotas.....1,57	Textiles.....48
Defense production.....46	Minerals.....20,56	Tobacco.....1
Disaster relief.....3,55	Patents.....47	Trade agreements..14,18,31
Electrification...11,29,52	Personnel.....6,7,34,44	Treaties.....19
Ethics.....39	Prices, farm.....5	Water pollution.....49
Expenditures.....6,9	support.....36,38,40,59	Water resources.....20,29
Experiment stations.....24	R.E.A.....51	Water utilization....15,19
Farm housing.....42	Report.....13	Weed control.....20
Flood control.....28	Roads.....21,30	Wheat.....26,36,50
Food reserve.....54		Wool.....14

HIGHLIGHTS: Senate passed bills to: Redetermine burley tobacco allotments; preserve tobacco acreage history. Senate committee reported Colo. reclamation project bill. House passed independent offices appropriation bill. House agreed to conference report on tax bill. Rep. Marshall claimed USDA has not used authority to dispose of surplus commodities. Both Houses received from USDA proposed bill to consolidate experiment stations legislation. Sen. Johnston discussed sale of surplus commodities broad. Sen. Johnston urged increased cotton allotments and relief for fruit and vegetable growers in S. C. Sen. Humphrey deplored decline in farm prices.

SENATE

1. TOBACCO. Passed without amendment H. R. 4951, to redetermine the national marketing quota for burley tobacco for the 1955-6 marketing year (pp. 3433, 3435-45). This bill will now be sent to the President. (For provisions of this bill as passed see Digest 53.)

Rejected a series of amendments submitted by Sen. Ervin to increase the exemption from acreage reduction from five-tenths of an acre to seven-tenths of an acre (pp. 3439-43) or from five-tenths of an acre to six-tenths of an acre (pp. 3443-4).

Sens. Gore, Clements, and Anderson discussed USDA's "miscalculation" in determining the tobacco marketing quotas on Nov. 1, 1954 (p. 3438).

Passed without amendment S. 1436, to preserve the tobacco acreage history of farms which voluntarily withdraw from the production of tobacco, and to provide that the benefits of future increases in tobacco acreage allotments shall first be extended to farms on which there have been decreases in such allotments (pp. 3445-6).

2. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments S. 500, to authorize the Colo. River reclamation project (S. Rept. 128) (p. 3397). The Committee was granted 10 days in which to file its report, together with the minority views of Sen. Kuchel and the separate views of Sen. Neuberger.
3. COTTON ALLOTMENTS; DISASTER RELIEF. Sen. Johnston urged an increase in cotton acreage allotments for S. C. farmers to "meet the deficits which will be sustained in the destruction of our ready money markets from peaches, vegetables, and fruits" due to the recent freezing weather and hailstorm; and inserted an editorial and telegram on this subject (pp. 3419-20).
4. SURPLUS COMMODITIES; FOREIGN AID. Sen. Johnston inserted and discussed a recent Washington Post and Times Herald article, "Benson Tells of Surplus Sold Abroad," and his (Sen. Johnston's) statement "which shows where the losses actually occurred" (pp. 3448-9).
5. FARM PRICES. Sen. Humphrey deplored the decline in farm product prices and inserted an Associated Press dispatch on this subject (p. 3449).
6. PERSONNEL; EXPENDITURES. The Joint Committee on Reduction of Nonessential Federal Expenditures submitted a report on civilian employment in the executive branch of the Federal Government for the month of February 1955 (pp. 3397-3401). This report is printed in the Record, together with Sen. Byrd's statement pointing out that there was a net increase of 312 employees as compared with the preceding month of January and ^{this} was the fourth monthly increase in 31 months since July 1952.
7. PERSONNEL. Passed without amendment H. R. 4941, to amend the Foreign Service Act of 1946 (p. 3446). (For provisions of this bill as passed see Digest 52.) The Foreign Relations Committee had reported, earlier in the day, without amendment this bill (S. Rept. 127) (p. 3397). This bill will now be sent to the President.
8. INTERGOVERNMENTAL RELATIONS COMMISSION. Sens. Schoeppel and Butler were appointed to be members of the Commission on Intergovernmental Relations (pp. 3463-4).
9. COMMITTEE ASSIGNMENTS. Sens. Ellender, Holland, and Dirksen (from Appropriations Committee) and Sens. Byrd, George, and Martin, Pa., (from Finance Committee) were appointed as members of the Joint Committee on Reduction of Nonessential Federal Expenditures (p. 3464).
10. SMALL BUSINESS. Received the annual report of the Select Committee on Small Business (S. Rept. 129) and Sens. Sparkman and Thye commended the work of this committee during the past year (p. 3401).
11. ELECTRIFICATION. Sen. Neuberger stated that the President "is not receiving accurate information with respect to the great power projects built under his predecessors," such as the Columbia River project, "which have been so valuable in electrifying our farms..." and inserted Gus Norwood's (N. W. Public Power Assoc'n.) address detailing the economics of Federally financed power projects (pp. 3446-8).

parents have come from Italy. They have enriched our life by so doing.

We are devoted, as you are in your country, Mr. Prime Minister, to the cause of human freedom. During the very brief time you will be here among us you may gain the impression that there are some fundamental differences between our two great political parties. But, Mr. Prime Minister, I think I can assure you that if the free world is ever challenged, if the American way of life and the way of life represented by the free people of Italy is ever challenged by totalitarian aggressors, it will be found in the future, as we have found in the past, that Americans will be standing shoulder to shoulder with Italians in helping to maintain a free world of free men. [Applause.]

The VICE PRESIDENT. The Senate is also honored today by having two other parliamentarians as guests.

The first is the distinguished Foreign Minister of Italy, Signor Gaetano Martino. I should like to introduce him to Members of the Senate. [Applause, Members rising.]

The VICE PRESIDENT. There is also present one who needs no introduction in this body—a former Member of the House of Representatives, and the present Ambassador to Italy from the United States, Hon. Clare Boothe Luce. [Applause, Members rising.]

The VICE PRESIDENT. I know that Members of the Senate would like to have the opportunity to greet our distinguished visitors. Therefore the recess will continue so that Senators may have an opportunity to speak personally with our visitors.

The Prime Minister was escorted to a position on the floor of the Senate in front of the Vice President's desk, and was there greeted by Members of the Senate, who were introduced to him by Mr. JOHNSON of Texas and Mr. KNOWLAND.

Following the informal reception, the Prime Minister and the distinguished visitors accompanying him were escorted from the Chamber.

At 2 o'clock and 37 minutes p. m., the Senate reassembled, when called to order by the Presiding Officer (Mr. HOLLAND in the chair).

VISIT TO THE SENATE BY STUDENTS OF ST. MARTIN'S EPISCOPAL SCHOOL OF NEW ORLEANS

Mr. ELLENDER. Mr. President, last December it was my privilege to address the fathers and mothers of the children attending St. Martin's Episcopal School, which is located at 5309 Airline Highway, near New Orleans, La. At that time I was informed by a member of the senior class that the schoolchildren intended to visit Washington. I told them if they came to Washington I would be glad to show them around.

Today, I am happy to state that in the galleries are 25 students of St. Martin's Episcopal School. These boys and girls have earned their way to Washington by selling old newspapers and scrap iron and by babysitting and waiting.

I am glad to present them to the Senate. I ask them to rise, so that they may be greeted by the Senate.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Chair asks our young guests in the galleries to rise.

(The group rose in their places in the gallery and were greeted by applause.)

Mr. ELLENDER. The group of students is chaperoned by the Reverend and Mrs. John Jenkins and Miss Dorothy Dorsa.

I ask unanimous consent that the names of the students be incorporated in the RECORD at this point.

There being no objection, the list of names was ordered to be printed in the RECORD, as follows:

Mary Allen, Bill Andrews, Margy Barry, Alice Bland, Bob Cairns, Daryl Canfill, Gene Doswell, John Girault, Kathy Hamilton, Anne Heyerdale, David Lagarde, John Lambert, Elliott Laudeman, Betsy Little, David Malone, Bonnie Markle, Larry Maxwell, Martha McCoy, Eric Phillpott, Betty Pratt, Suzanne Ray, Sue Ruppel, Sharon Smith, Carol Wetterhall, and Tad Wisdom.

REDETERMINATION OF MARKETING QUOTAS FOR BURLEY TOBACCO FOR THE 1955-56 MARKETING YEAR

The Senate resumed the consideration of the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes.

Mr. CLEMENTS. Mr. President, the pending measure H. R. 4951, combines the provisions of S. 1457, to redetermine the national marketing quotas for burley tobacco for the 1955-56 marketing years, and for other purposes; S. 1327, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; S. 1325, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; and S. 1326, to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; and all committee amendments to those bills.

The first two sections would include material covered by S. 1457, and would direct the Secretary of Agriculture to redetermine the national marketing quota for the 1955 crop of burley tobacco on the basis of the latest available statistics.

It would permit reduction of the 1955 crop to allotments of seven-tenths of an acre or less by not more than one-tenth of an acre; no allotment to be so reduced below five-tenths of an acre.

It would provide for the removal of quotas and price supports if the redetermined quota is not approved by two-thirds of the producers.

It would reduce the acreage and percentage of cropland factors used in determining minimum burley allotments from seven-tenths to five-tenths and from 25 percent of the cropland, to 10 percent of the cropland; no allotment to be reduced more than one-tenth of an acre in any 1 year.

Section 3, which includes material, contained in Senate bill 1327, provides that excess acres harvested in 1955 and

subsequent years will not count in establishing future allotments. This will prevent producers from building up history through allotment violations.

Section 4, which includes material contained in Senate bill 1325 has to do with one who files a false report with respect to the tobacco acreage of his farm. A farmer who contributed to breaking down the marketing program by growing tobacco on unreported fields would have his next quota reduced by the percentage which his greatest production was of his quota.

Section 5, which includes material contained in Senate bill 1326, would increase the marketing penalty for overplanting tobacco from 50 percent of the average market price in the preceding market year to 75 percent of such average market price.

Mr. President, there is good cause for the proposed legislation. A normal quantity of tobacco in storage is approximately two and a half years' supply. At present more than three and a half years' supplies are in storage. If there were not a pound of burley tobacco raised during the next year, it would bring burley tobacco stock into approximately normal balance. We recognize such eventuality would be a disastrous situation for the burley tobacco growers, but we also recognize that sooner or later this program will fall unless supplies are brought into normal balance.

The proposed legislation, as I have said, would permit the Secretary of Agriculture to make a redetermination between now and the planting season and to advise the growers what additional reduction to the 10 percent cut, which was made last fall, should be made before the 1955 crop of burley tobacco is planted.

Mr. President, some may say, "Why was not this cut made last November?" At the time the acreage was determined by the Department of Agriculture it was thought that there would be 582 million pounds of burley tobacco marketed, but that did not happen. There was a considerably larger amount of burley tobacco marketed last year than was anticipated by the Department when it made the determination in November as required by law. Latest estimates indicate a 670 million pound crop. It is the belief of the Department now that a proper determination would have been a 30 percent cut for the 1955 crop. This bill would permit a redetermination of the marketing quota, but not to exceed a reduction of 25 percent.

Mr. President, some may say that the burley tobacco industry could withstand a continuation of the present law; but if the proposed legislation is not enacted, we shall add this year an additional surplus over and above that already referred to, and we will be in worse condition 12 months hence than we are now.

In my judgment, which is supported by the views of officials of the Tobacco Branch of the Department of Agriculture, we may well require a 50 percent cut in the acreage of burley tobacco next year if this bill is not passed this year to curtail the production of burley tobacco at this time.

There will be some who will suggest that the section of the bill which would reduce from seven-tenths to five-tenths the minimum allotment is unnecessary at this time. I wish to say that this bill in its present form is supported by the Department of Agriculture, by major farm organizations within a goodly number of States, and by a great majority of the group who were represented at a meeting in Lexington of the eight-State burley committee. It was their judgment then, and it is now their judgment, that the enactment of this proposed legislation is essential for the preservation of the burley-tobacco program which has meant so much to more than 300,000 growers of burley tobacco in those 8 States.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. CLEMENTS. I shall be glad to yield.

Mr. BARKLEY. What proportion of the crop of burley tobacco is now produced by those who have seven-tenths of an acre or less in the burley area?

Mr. CLEMENTS. Approximately one-third of the burley tobacco is produced by those who grow seven-tenths of an acre or less.

Mr. BARKLEY. Can the Senator advise the Senate to what extent the production per acre has increased because of greater fertilization and more scientific methods of production over the past 5 or 10 years as compared with the situation at the time this program was first inaugurated?

Mr. CLEMENTS. In 1940, the average production per acre was 1,045 pounds. In 1954, the average production was 1,650 pounds of burley to the acre.

Mr. BARKLEY. So today seven-tenths of an acre, or any similar amount, represents greater productivity than the same amount of acreage, or in some cases, twice the amount of acreage, reported in 1940. Is not that correct?

Mr. CLEMENTS. That is correct. I should say that on the basis of what it will produce now seven-tenths of an acre will produce more than would have been produced in 1940 on the average allotment for burley tobacco, which was about 1.2 acres.

Mr. BARKLEY. So seven-tenths of an acre now, because of the processes by which increases in production have been brought about is almost equal to an acre and one-half of tobacco in 1940. Is that correct?

Mr. CLEMENTS. That is correct.

Mr. BARKLEY. In undertaking to adjust the situation, so as to alleviate the conditions brought about by overproduction, I understand it is the Senator's view and the view of the committee that it is necessary to bring about a reduction in the production of the small acreage owner, as well as in the production of the large acreage owner. Otherwise, the new program would not be effective, and the entire program for burley tobacco would be injured and might collapse. Is that the view of the committee?

Mr. CLEMENTS. That is the view of the committee; and, I may say to my distinguished colleague, it is certainly

my view. I know the attitude of my colleague, who has been a champion of this program since its inception, namely, that under no conditions would he wish to inflict any hardship upon the small growers. But my belief—and I feel certain it is the belief of my colleague—is that it is necessary at this time, when an acreage production cut must be made, to maintain equality in the sharing of the cut.

Mr. BARKLEY. We all sympathize with the small grower. In my early days, I was a small grower myself. My father, also, was a small grower of tobacco. I understand the entire problem of the production of tobacco, whether it be burley or other types of tobacco.

I have always been, and I am now, in sympathy with the small grower of anything, whether it be tobacco, wheat, corn, or cotton. Yet I realize that if this program should collapse because of overproduction, the lack of markets, or by whatever method it might be brought about, whether by infringement on limitations fixed or overfertility of soil—for whatever reason the program might fail, the small producer would suffer in the same proportion as would the large producer, and he might not be able to change his acreage to some other type of crop growing as readily as a large producer could. Is that a fair assumption?

Mr. CLEMENTS. It is certainly a fair assumption; I agree with it wholeheartedly.

I wish to add that, in my judgment, if the program should fall—and it will fall unless there shall be a fair distribution of the cut among the growers—the larger grower could more easily adapt himself to another type of farming than could the small grower, who is more dependent upon tobacco as a cash crop than upon any other item.

Mr. BARKLEY. If I may illustrate, I have a friend in Kentucky who during the past year grew 81 acres of burley tobacco. He has a large farm. It is a very rich farm in the very center of the bluegrass region of Kentucky.

If by reason of overproduction and the consequent collapse of the price-support program, which has enabled burley tobacco growers to receive adequate compensation for their work, the program should fail, he could change his acreage into grasses or other crops, or he could raise cattle, any of which would adequately, or at least to some extent, compensate him.

As compared with a man having seven-tenths or five-tenths of an acre, which one, in, that situation, would have the advantage, even in the event of the collapse of the entire program?

Mr. CLEMENTS. I should say the larger grower would have the advantage.

Mr. BARKLEY. I thank the senior Senator from Kentucky.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. KEFAUVER. As the Senator from Kentucky knows, a large part of the burley tobacco grown in Tennessee is produced by the small farmers, those

having 1 acre or less, and it is grown as a cash crop. The small tobacco farmer has already had his cash crop cut down to the point where it is almost impossible for him to survive. An increase in the cut will cause him serious difficulty.

Does not the Senator feel that a man having 10 acres is better able to absorb the cut which has to be made in order to keep the program than is the small farmer who has only seven-tenths of an acre now?

Mr. CLEMENTS. He not only is better able to absorb it, but he will share the cut in the same proportion.

Mr. KEFAUVER. Since a cut below seven-tenths of an acre, in the case of a small farmer, will cause him grave economic hardship, does not the Senator feel that, as a matter of fairness and equity, in order to give the small producer at least a minimum amount on which to live, the large producer ought to share a somewhat greater proportion of the cut than the smaller farmer?

Mr. CLEMENTS. My heart is with the small grower as much as that of the Senator from Tennessee. I think my heart and the heart of my colleague should be inclined more sympathetically to the small grower, because there are more small growers in Kentucky than in any other State of the Union.

Mr. KEFAUVER. It might be well to add that there are also more large growers in Kentucky than in any other State of the Union.

Mr. CLEMENTS. There are more large growers in Kentucky than in any other State, but the percentage which the grower in Kentucky has allotted to him is not the highest. In some States the average acreage allotment is greater than it is in Kentucky.

Mr. KEFAUVER. The distinguished junior Senator from Kentucky [Mr. BARKLEY] asked the distinguished senior Senator from Kentucky a question as to whether the small farmer is able to produce more than he formerly could produce by reason of better fertilization and improved agricultural methods. If that be true of the small farmer, is it not equally true, if not more so, of the farmer having a larger allotment?

Mr. CLEMENTS. In my opinion, there would be no difference. They both have access to the same techniques. I do not know of a single county in the burley-tobacco-producing areas which is not blessed with a county agricultural agent. The agents have done excellent work in our State, as I know they have done in Tennessee and the other burley-tobacco-growing States, in acquainting the small grower with the new techniques which have been developed to increase their production.

Mr. KEFAUVER. It seems to me that the farmer who has a larger allotment still will have a substantially larger income to get by with. In view of the dire economic plight of some of the very small growers, and the fact that hundreds of thousands of small farmers have been going out of business every year, until they have become quite a problem in our Nation, I think that instead of a general overall cut to keep all the farm-

ers going, it would be in the public interest and would be much fairer to apply a larger amount of the deduction to the larger grower, while still allowing the small farmer to have his seven-tenths of an acre, which barely enables him to keep going anyway.

Mr. CLEMENTS. I agree with the theory expressed by the distinguished Senator from Tennessee; but, from a practical standpoint, I think he will agree that it was not too long ago when the minimum was nine-tenths of an acre. At the time it was nine-tenths of an acre, that amount of land did not produce as much tobacco, on the average, as seven-tenths of an acre, and even less than seven-tenths of an acre produces today.

Mr. KEFAUVER. It is also true, is it not, that while a farmer can produce more with whatever land he has, the small farmer, who usually has quite a large family to support, as the Senator from Kentucky and I know also has to pay a little more for what he buys in the way of equipment and groceries? In other words, his cost of living has gone up very greatly, too, so that as of now, if his acreage is cut any more, it is going to be economically impossible for many of the small farmers to survive, and I think that would be an all-around catastrophe in our agricultural community.

Mr. CLEMENTS. Let me say to my friend from Tennessee that I dislike seeing any farmer receive a cut, regardless of whether his acreage is small or large; but that is not the real problem with which we are now confronted, when we have more than a year's oversupply of tobacco in storage. The question is, Are we going to save this program? If so, we shall have to take the action which the bill contemplates.

Mr. CAPEHART. Mr. President, will the Senator from Kentucky yield?

Mr. CLEMENTS. I yield.

Mr. CAPEHART. I wish to join with the two able Senators from Kentucky in supporting the pending bill, or all tobacco bills, because farmers in Indiana raise considerable tobacco just across the river from Kentucky. There are in Indiana many small tobacco farmers. I find that they are in favor of the proposed legislation. I merely desired to join with the two able Senators from Kentucky, and particularly with the author of the bill, the senior Senator from Kentucky (Mr. CLEMENTS), in supporting the proposed legislation. I think it is sound and that the Senate ought to support it.

Mr. CLEMENTS. I thank the Senator from Indiana for his observation, as well as for expressing support of the proposed legislation, and for his mention of the fact that farmers in his State favor the bill. During the past week I was in my home State. I did not find any farmer who grew tobacco in the State of Kentucky who wanted a cut in his acreage; but every grower of tobacco with whom I talked said that the program is more important than the exact acreage involved.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CLEMENTS. I yield to my colleague.

Mr. BARKLEY. If we may assume that, because of overproduction of the particular crop affected by the bill, we would be unable to maintain the program, and the price of tobacco reverted to what it was before there was a program in operation, would there be any incentive for a farmer, even with seven-tenths or five-tenths of an acre, to grow tobacco?

Mr. CLEMENTS. There would not be. In view of the surplus in storage at the present time, no farmer would desire to grow burley tobacco in a small amount without price supports.

Mr. BARKLEY. That would not only affect the tobacco crop itself, but it would affect drastically and tragically the value of the land on which the crop is grown, which is so vital to the tobacco industry of the United States and, I might say, to the Treasury of the United States, because the tobacco industry makes a greater contribution to the Treasury than any other crop, or almost all other crops in the United States combined.

Mr. CLEMENTS. My colleague, as usual, is eminently correct.

Mr. SYMINGTON. Mr. President, will the distinguished Senator from Kentucky yield to me?

Mr. CLEMENTS. I yield to my friend from Missouri.

Mr. SYMINGTON. The great State of Missouri has a unique position in this matter. Last year an outstanding Missourian was elected to the House of Representatives from the Sixth District whose family for generations have been identified with the tobacco industry in Missouri. I had the privilege, shortly after lunch, to discuss this matter with this Representative, the Honorable WILLIAM HULL, JR., of Weston, Mo., who has been in the tobacco business all his life. Congressman HULL stated that while there are some minor modifications which the tobacco farmers of Missouri might wish in the bill, nevertheless they are wholeheartedly in favor of the bill as a whole; and he added he voted for it when it passed the House. Therefore, Mr. President, I support the distinguished senior Senator from Kentucky in his presentation of this bill before the Senate.

Mr. CLEMENTS. I thank my friend from Missouri for his observation. It is certainly fine to have in the RECORD a statement that a Member of the House from Missouri, who has probably had a longer connection with the growth of burley tobacco than has any other Member of the House, has taken that position.

Mr. President, there may be some who would suggest, as one of my colleagues did, that a compromise ought to be offered and considered. As a matter of fact, the bill before the Senate now represents a compromise. The only type of tobacco which has a minimum acreage is burley. None of the other types have a minimum acreage.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. ERVIN. I should like to make a statement and then ask a question. I have never seen, and I have never known any person who ever saw, and I have never yet heard of, any farmer growing Bright Leaf tobacco who had an allotment of less than 2 acres. I should like to ask the Senator from Kentucky if he has ever heard of a Bright Leaf tobacco grower having an allotment below 2 acres.

Mr. CLEMENTS. I have not. As a matter of fact, I do not live in the flue-cured tobacco area. There is not an allotment for flue-cured tobacco in Kentucky. There are more types of tobacco than flue-cured and burley; but none of the other types of tobacco, including flue-cured, have a minimum allotment.

VISIT TO SENATE OF MEMBERS OF PRECISION DRILL TEAM OF PURDUE UNIVERSITY, INDIANA

Mr. CAPEHART. Mr. President, will the Senator from Kentucky yield?

Mr. CLEMENTS. I yield.

Mr. CAPEHART. I merely wished to announce that the Purdue University drill team won the precision drill award in the cherry blossom contest, winning against all other competitors. As it is a great agricultural school as well as an engineering school, its students are very much interested in tobacco.

Two members of that drill team, Mr. Thomas McHenry and Mr. Dale Vermillion, are present in the gallery at this time. I know it will be interesting to the people of Indiana to know that the great University of Purdue won the precision drill team contest in Washington.

I thank the Senator for yielding.

REDETERMINATION OF MARKETING QUOTAS FOR BURLEY TOBACCO FOR THE 1955-56 MARKETING YEAR

The Senate resumed the consideration of the bill (H. R. 4951) directing a redetermination of the national marketing quota for burley tobacco for the 1955-56 marketing year, and for other purposes.

Mr. CLEMENTS. Mr. President, as I was saying, a compromise has already been reached. I have stated that burley is the only type of tobacco which has a minimum acreage allotment. The growers of burley tobacco are of the opinion that burley tobacco should be in the same class, minimum acreagewise, as are all the other types of tobacco. However, because time is of the essence in the present situation, and since it is very essential that a determination be reached so that the Department can take such action as is needed in calling for a referendum, and have the question settled while there is still time to accomplish desirable results, the group concerned with the matter in the House of Representatives agreed to a compromise of five-tenths of an acre.

Mr. President, there are many who talk about the large number of big growers. I should like to read from the latest table I could obtain from the Department of Agriculture, which gives by size

the estimated number of growers under the 1955 tobacco acreage allotments: 9,800 growers have one-tenth of an acre, 9,300 growers have two-tenths of an acre, 17,000 growers have three-tenths of an acre, 19,000 growers have four-tenths of an acre, 46,000 growers have five-tenths of an acre, 19,000 growers have six-tenths of an acre, 87,000 growers have seven-tenths of an acre, 14,000 growers have eight-tenths of an acre, 7,700 growers have nine-tenths of an acre, 7,300 growers have 1 acre, 28,000 growers have between 1.1 and 1.5 acres, 28,000 growers have between 1.6 and 2.5 acres, and 21,000 growers have between 2.6 and 5 acres.

When we come to the big growers we find the following: 8,000 have between 5 and 10 acres, 1,800 have between 10.1 and 20 acres, 400 have between 20 and 50 acres, 40 have between 50 and 100 acres; and 10 have 100 acres or more.

So it is easy to see that two-thirds of the growers are what may be called small growers. If the proposed cut goes into effect this year—and it will not be a general cut unless it covers more growers than those who would be covered by the present law—another twenty-odd thousand growers will go into the protected class, along with the 207,000 who are now in that category.

Mr. President, I could not take my seat without urging the Members of the Senate to consider whether they wish to protect a program which up to this time has cost the American taxpayer nothing, but which is now in jeopardy. One of the best proofs that it is in jeopardy is the fact that today more than \$220 million worth of burley tobacco is pledged for Commodity Credit Corporation loans. I am advised that more burley tobacco than any other type of tobacco is under CCC loans, although the amount of burley tobacco which is produced is nowhere near so large as the amount of another variety of tobacco which is produced, namely, flue-cured, or Bright Leaf tobacco.

Mr. President, I urge the Senate to consider this bill most seriously. As I have said, in Kentucky there are more small growers than there are in any other State. I wish it were possible for them to have one acre apiece. But that could not come to pass without wrecking the present program, and the continuation of the program is more important to them, I am confident, than one-tenth of an acre more or less.

Mr. GORE. Mr. President, will the Senator from Kentucky yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. CLEMENTS. I am glad to yield.

Mr. GORE. I take it that the Senator from Kentucky is aware of the fact that the law provides that on November 1 the Secretary of Agriculture shall estimate the stocks on hand and shall publicly announce a quota for the ensuing crop year.

Mr. CLEMENTS. That is correct.

Mr. GORE. How does the Senator from Kentucky justify, if he does, the action of the Secretary of Agriculture in determining the quota for the next

year in such a way as to so far underestimate the supply of tobacco and to give a larger percentage cut to the small grower with an allotment of less than 1 acre, than the cut given to those having allotments of more than 1 acre? In other words, as late as November 1, the Secretary of Agriculture issued the marketing quotas; and he so far missed the estimate as to bring us to this predicament, with the result that the growers having allotments in excess of 1 acre had their allotments reduced 10 percent, whereas the growers with allotments of less than 1 acre had their allotment reduced by as much as 12½ percent.

Mr. CLEMENTS. I regret very much that the Secretary of Agriculture or, I should say, the Department of Agriculture—because the Secretary's determinations are based on the estimates made in the Tobacco Branch of the Department—miscalculated the production for last year. I think it is fair to say that my friends, the Senator from Tennessee and the people of the area where he lives and the people of the area where I live were, likewise, very much surprised to find that an additional amount of more than 100 million pounds of burley tobacco passed through the market, in excess of the amount which had been estimated by the Secretary of Agriculture.

Mr. ANDERSON. Mr. President, at this point will the Senator from Kentucky yield to me?

Mr. CLEMENTS. I yield.

Mr. ANDERSON. Of course, the Senator from Kentucky realizes, I am sure, that nothing else in the world is quite so hazardous as the making of crop estimates. I am sure he recognizes that the Department of Agriculture does its very best, and has official reporters almost everywhere, and they turn in what they regard as good figures. But when there is a combination of good weather and the proper amount of moisture on the proper days, changed conditions frequently result. In that case varying estimates have to be indulged in.

Let me ask the Senator when burley tobacco was first brought under these acts. Was it not in 1946 or 1947?

Mr. BARKLEY. Mr. President, if my colleague will yield to me, let me say that, as I recall, in the Agricultural Act of 1938, tobacco was included among the basic crops.

Mr. ANDERSON. However, I have in mind a subsequent year.

Mr. BARKLEY. In 1943, an amendment of the so-called Triple A Act fixed the support price of tobacco at 90 percent of parity. But since 1938, tobacco has been in the category of basic crops.

Mr. ANDERSON. My point is that at one time we had to deal with cotton acreages, and we had to try to determine the minimum acreages. As I recall, whenever we face such a situation, it is extremely difficult to handle, because the situation cannot be cared for by reducing the allotments of only the producers who have fairly sizable allotments. If we leave alone all the minimum allotments—if we cut them virtually nothing—it will be necessary to cut by a very heavy amount or to a very large

extent the allotments of the large producers, will it not?

Mr. CLEMENTS. That is correct.

Mr. ANDERSON. However, that is also true with respect to cotton, peanuts, and other crops.

If there is a minimum below which the acreage allotments cannot be cut, and if that category includes a great many growers, then we are faced with a situation such as the present one, and when 100 million pounds extra come on the market, if the cut is applied to the larger producers only, it is a very, very heavy and disastrous cut, is it not?

Mr. CLEMENTS. That is quite true; and the distinguished Senator from New Mexico, who served so ably as Secretary of Agriculture, had many dealings with the tobacco problems when he served in that position.

Not very long ago the minimum acreage was 1 acre. We reached the point where the growers with acreages above 1 acre had to take too great a cut, and the minimum acreage was reduced to nine-tenths of an acre.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CLEMENTS. I yield.

Mr. ANDERSON. Was there not quite a struggle over that question when the reduction took place?

Mr. CLEMENTS. That is correct.

Mr. ANDERSON. There was a hard battle in the Congress at that time.

Mr. CLEMENTS. That is true. As the Senator knows, one of the reasons is that the yield per acre increased so greatly that a grower with 1 acre was producing as much tobacco as a grower with 1½ acres had been producing only a few years before, while the consumption of burley tobacco had not increased.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CLEMENTS. I am glad to yield.

Mr. GORE. I invite the attention of the junior Senator from New Mexico to the fact that even though the crop of tobacco had been exactly as expected, the determination of the Secretary would still have been utterly unrealistic. The choice was whether to use the full amount of discretionary authority, thereby giving to the larger growers only a 10 percent reduction, and to the small growers a 12½ percent reduction, or to use a realistic estimate and give a 15-percent reduction to the larger growers and a 12½-percent reduction to the smaller growers.

The choice was made; and this is the second year in which the smaller growers have had a larger percentage reduction than the larger growers. The able Senator from New Mexico has pointed out that if we were to retain the present minimums, it would require the larger growers to have a larger percentage cut; but this is the second year in which the small growers have had the larger percentage cut. Is there any justice in that?

I thank the Senator for yielding. I do not know why the tobacco branch of the Department or the Secretary should be so unrealistic as late as November 1.

Mr. CLEMENTS. I assure my friend from Tennessee that I, too, regret it very much, but we are faced with a reality

and not a theory. We need to save this program, and the way to assure its being saved is to enact legislation which will enable the growers themselves to approve, by two-thirds vote during this month, the continuation of this program.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CLEMENTS. I yield.

Mr. BARKLEY. I am familiar with the various conferences which took place among the burley-tobacco growers representing the eight States already referred to, and numerous conferences held within the State of Kentucky, with which I am familiar, dealing with this question.

Resolutions have been adopted by Farm Bureau federations, burley-tobacco growers associations, and various other organizations representing the tobacco growers. They have adopted resolutions unanimously and have sent them to us. We have dealt with them and considered them.

It is true, is it not, that in the various meetings considering this subject both the small tobacco growers and the large tobacco growers were represented in reaching a determination and in voting upon the resolutions which have been sent here advocating a program of this kind?

Mr. CLEMENTS. That is correct.

Mr. BARKLEY. So they have not been without representation. Their voice has been heard in the deliberations which have resulted in a unanimous attitude, as I recall, on the part of numerous farm organizations throughout the State of Kentucky. I cannot speak for any other State. Those organizations have recommended this type of legislation in recognition of the drastic situation which confronts them and the tragic result which would follow if, for any reason, this program should collapse. It could collapse only because of great overproduction or, of course, because of rejection of the program by a little more than a third of those who vote upon it. The pillars would come down on all of them—not only the large grower but the small grower. In proportion to his interest, the small grower would be hurt worse than the large grower if the whole program should collapse.

Mr. CLEMENTS. That is correct; and I thank my colleague for his fine contribution.

Mr. ERVIN. Mr. President, on behalf of my distinguished colleague [Mr. SCOTT], the distinguished Senators from Tennessee [Mr. KEFAUVER and Mr. GORE], the distinguished Senators from West Virginia [Mr. KILGORE and Mr. NEELY], and myself, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments offered by the Senator from North Carolina, for himself, and other Senators, will be stated.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out lines 12 to 18, inclusive, and insert:

(2) No burley tobacco farm acreage allotment of seven-tenths of an acre or less shall be reduced under this act.

On page 3, it is proposed to strike out the colon in line 17 and the following words:

Provided, however, That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any 1 year.

On page 3, it is proposed to strike out the words "five-tenths" in line 16 and insert in lieu thereof the words "seven-tenths."

The PRESIDING OFFICER. Does the distinguished Senator wish to have these amendments considered en bloc?

Mr. ERVIN. I do.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. Mr. President, stated in simple language, these amendments are designed merely to retain in effect the present seven-tenths of an acre minimum allotment to growers of burley tobacco. I respectfully submit that these amendments ought to be adopted, for any 1 of 3 different reasons.

The first is that before the provisions of the bill looking to the redetermination of the proper allotments for burley tobacco growers for the year 1955 can be carried into effect, the tobacco-planting season will be at hand, and the passage of the bill without the amendments would create a great deal of confusion in the burley tobacco-growing areas. For that reason, if for no other, these amendments ought to be adopted.

In the second place, they should be adopted because there is no need at this time for any reduction in the acreage allotted to the growing of burley tobacco.

Burley tobacco cannot be used as soon as it is grown. Like other tobaccos, it must be aged. An aging period of 2.7 years must elapse before burley tobacco can actually be used.

We have on hand a supply of burley tobacco of approximately 3½ years, which is only 0.8 of a year beyond the amount we must have on hand for the proper aging. It would require only one bad tobacco-growing season, and the enforcement of certain provisions incorporated in the bill, other than the provisions to which my amendments are addressed, to bring the production of burley tobacco into balance with the demand for burley tobacco.

It is well known in the burley tobacco field that burley tobacco planters have been overgrowing tobacco, and have been doing so because of a provision in the law which should have been eliminated long ago. That provision deals with a grower of burley tobacco who overplants his present allotment and secures an increase in his future allotment if he pays the penalty.

Furthermore, there is a provision in the bill which would raise the penalty for overplanting from 50 percent to 75 percent. Therefore, it is not necessary to reduce the amount of the acreage allotted to burley tobacco growers at this time. If the bill is passed, with the provision in it which increases the penalty for overproduction from 50 percent to 75 percent, and with the further provision that hereafter it will not be possible to acquire increased future allotments for growing burley tobacco by overplanting one's present allotment, and paying the penalty, such a reduction will not be necessary.

Therefore, we will soon create a situation where the production and use of burley tobacco will be balanced and there will be no surplus on hand.

The surplus we now have on hand is only slightly above the amount that is necessary for the proper aging of burley tobacco.

My able and distinguished friend, the senior Senator from Kentucky [Mr. CLEMENTS], stated that he favors the small growers of burley tobacco, and that his heart bleeds for the small man, as my heart bleeds for him, too. However, Mr. President, my distinguished friend from Kentucky, has one consolation which he can lay to his bleeding heart. It is a consolation that I do not have. He has 78,000 growers of burley tobacco in his State, who have on the average a 2.6-acre allotment. I have 20,000 growers of burley tobacco in my State who have an allotment of not exceeding six-tenths of an acre.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. CLEMENTS. I should not want the Senator to leave the Senate under a wrong impression with reference to the average allotment of Kentucky growers of burley tobacco. The acreage in Kentucky, according to the figures I have, is 261,000 acres, and the number of growers is 154,000. The average allotment, therefore, would be somewhat less than the figure my friend from North Carolina has used.

Mr. ERVIN. I do not believe there is any difference between the Senator from Kentucky and myself with respect to the figures. I believe we are substantially in agreement. In his State there are 79,300 small farmers, who have an average allotment of seven-tenths of an acre or less. In that respect they are like my people, except that my people have an average of six-tenths of an acre. However, the State of the Senator from Kentucky also has, in addition to those I have mentioned, 78,000 farmers who have an average of 2.6 acres. As I say, he can lay to his heart the consolation that half of his farmers will have an average of 2 acres, notwithstanding any reduction that may be made. I have no such consolation.

I am familiar with the burley tobacco growing areas of North Carolina. The Lord thought a great deal of North Carolina, particularly western North Carolina. He wanted people there to be just as close to heaven as He could reasonably get them. Therefore, He built some mountains in that area. In order to build the mountains, He had to put a great many rocks into the ground. He had to do that in order to get the people close to the angels. As a result of the presence of those rocks, there is not in western North Carolina very much land that can be used by the growers of burley tobacco.

The same observation applies to the tobacco growing areas of Tennessee and West Virginia. They, too, have small burley tobacco patches of one-fourth or one-half or seven-tenths of an acre scattered through the mountains.

Those people have no cash crop except the burley tobacco crop. Of course they

have another crop, Mr. President—a big crop of children. A man who has an allotment of seven-tenths of an acre or less can gross only about \$420 a year. That is all the cash crop he has. He may also have some chickens, a cow, and a pig, and he may raise some vegetables. However, he has no other way of getting cash except by growing burley tobacco.

We might as well face the situation, Mr. President. The Senator from Indiana [Mr. CAPEHART]—who, I regret, has left the floor—said he was interested in the small farmers, and therefore would support the bill without my amendment. I want to give him the assurance that his small farmers will be a great deal smaller if the bill is passed without my amendment. If the bill is passed without my amendment, we will eventually have a situation where the Arabs will take away the vineyards of the Naboths.

That will happen, as the Senator from Tennessee [Mr. GORE] has pointed out, if we keep cutting the minimum allotment. At one time the minimum figure was 1 acre. Then it was cut down to nine-tenths of an acre; then to seven-tenths. Now it is proposed to reduce the figure to five-tenths of an acre.

The successive cutting down of the minimum acreage of the burley tobacco farmers reminds me of the man who wanted his dog to have a short tail. He cut his dog's tail off a little bit at a time, because he felt this process would not hurt the dog so much.

That is exactly the condition which will be brought about if the Senate rejects my amendments and continues the process of cutting off the minimum allotment a little at a time. If we keep cutting the minimum allotment in this way, the small burley tobacco farmer will eventually have no allotment of any practical value.

I respectfully submit that that will be the situation. No farmer ought to be cut down below a cash income of \$420, which is the amount he can gross a year on an allotment of seven-tenths of an acre.

As the junior Senator from Kentucky [Mr. BARKLEY] pointed out in his questions to the senior Senator from Kentucky [Mr. CLEMENTS], a farmer who has seven-tenths of an acre as an allotment by reason of an increase in production, has the equivalent of twice that much. By the same token, a man who has a 2.6 acreage allotment, as is the case with 78,000 farmers in Kentucky, has the equivalent of 5.2 acres. The farmer who is fortunate enough to have as much as a 10- or 20-acre allotment has the equivalent of 20 or 40 acres.

My friends from Kentucky tell me how much interested they are in the small farmers. I know that to be a fact, because they themselves are big-hearted men. I know they hate to do to the small farmers of my State what they are preparing to do. However, it seems to me that if their hearts bleed as much as mine does for the small farmers, of whom there are 79,000 in Kentucky and 20,000 in North Carolina, approximately 25,000 in Tennessee, and a like number in West Virginia, their hearts will prompt them

to vote for my amendments, which will keep the present minimum in effect. Next year, if the increase in the penalty does not cut down the excess production, we can consider the matter again, instead of discussing it now, on the eve of the planting season.

Therefore, Mr. President, I plead with Members of the Senate not to continue to reduce the minimum allotment of burley growers, because the eventual result will be that there will not be sufficient acreage left to the small grower of burley to warrant his remaining in this agricultural field.

Mr. SCOTT. Mr. President, I support the amendment of the senior Senator from North Carolina, but I shall not attempt to go into any further argument of the subject. I ask unanimous consent to have printed at this point in the RECORD a statement which I have prepared on the question which is involved.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCOTT

I think my colleague [Mr. ERVIN] has offered a very important amendment that merits very careful consideration by all of us.

This burley tobacco problem is one that has been growing on us for some time. It is a very serious infection, and unless it is handled right, it might mean the end to our whole burley tobacco program.

Many, many attempts have been made to find a solution that would be satisfactory to everybody concerned. More important, we have made attempts to find a solution that would be just and fair to all burley tobacco growers.

I am in wholehearted agreement with the provisions of the pending bill, with one exception. I should like to say that during the committee hearings and deliberations we all were in accord except for one phase of the burley problem.

To me, and I think to anyone acquainted with the farm problems of the Nation, that one point of difference is of the utmost importance.

I refer to the section of the bill with which the proposed amendment deals. The bill passed by the House contains a provision under which no burley tobacco acreage allotments of five-tenths of an acre or less would be reduced. Until this year, no acreage allotments under seven-tenths of an acre have been reduced. In other words, until now the burley tobacco growers have been assured of at least seven-tenths of an acre allotment.

More important than the percentage reduction, however, is the fact that this means the difference between profit and loss for thousands of burley growers.

I have always agreed that some steps must be taken to reduce the total production of burley tobacco in order to bring supply closer in line with demand, but I do not think we will solve the problem by forcing the small producers out of business.

In this respect, I should like to call a few facts to the attention of the Senate. I have some figures here that are hard to believe, but they are true.

In my home State of North Carolina, we have about 19,000 burley-tobacco growers. Last year, the average acreage of burley tobacco in North Carolina was sixty-four one-hundredths of 1 acre. That is just a fraction above six-tenths of an acre. It is hard to believe, but the cold facts are that the average burley-tobacco grower in North Carolina produces his crop on just a little over half an acre.

All the burley grown in North Carolina is produced in the western counties—in the mountain counties.

I should like to tell the Senate something about the fine mountain people of our State. There are no finer people anywhere.

My senior colleague, Senator ERVIN, comes from the mountains of North Carolina, and I think everyone in this Chamber agrees that a better man cannot be found anywhere.

The mountain people of our State are rugged individuals who believe in living and letting their fellow men live. For the most part, they live on very meager cash incomes.

In many, many cases, the cash income that is received from burley tobacco is the only cash income the mountain farmer has. A tenth of an acre, a quarter of an acre, or even a half acre seems very small when we talk of it here, but when it represents a family's total cash income, then it becomes the most important thing in the world to the head of that family.

Let me give one more set of figures. In 1951, for example, when farm prices were higher than they are now, the average value of burley tobacco in North Carolina was \$949 per acre. That means that the average burley farmer in North Carolina, with just a little over a half acre of tobacco, received about \$500 for his entire crop.

I cannot find it in myself to believe that a plan which would cut such a man's income by as much as this bill would do is good legislation. I say that if the bill passed by the House becomes law, there will be thousands of burley-tobacco farmers next year who will suffer beyond repair.

There are several provisions in the House bill, namely, the sections that would set up tighter penalties for overplanting and more rigid enforcement regulations; that will go a long way toward reducing the overproduction of burley tobacco.

I hope every member of the Senate will keep these things in mind when the votes are cast. I ask Senators to vote for the amendment that will assure a seven-tenths of an acre allotment.

The small-burley-tobacco growers are already suffering beyond words. If the acreage floor is reduced, it will be the death blow for thousands.

THE PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the senior Senator from North Carolina for himself and other Senators.

Mr. BARKLEY. Mr. President, I hesitate to detain the Senate at this time in regard to this matter, but I do wish to make 1 or 2 brief observations with reference to the bill itself and to the amendments offered by the Senator from North Carolina.

I appreciate all he has stated with reference to the tobacco growers of western North Carolina. My grandfather came from that region. He was born, reared, and married in that section of North Carolina, and then moved to Tennessee, thence into Kentucky, where I was born. My father was born in Tennessee.

I understand the problem of large families, because I was the oldest of eight children. We never grew more than six acres of tobacco, which would be less than an acre per child. I think I understand all the problems of the big family and of the small grower of tobacco and other farm crops.

The amendment of the Senator from North Carolina proposes to reduce the production of the small farmer by a

small degree, and the Senator uses a dog's tail as an analogy. According to his argument, he would cut it off a little at a time; but he would cut it more often. Therefore, it would hurt worse.

The pending bill authorizes a minimum acreage of five-tenths of an acre. The Senator would make it six-tenths of an acre.

I can remember, Mr. President, when the tobacco growers of North Carolina, Kentucky, Tennessee, and the other tobacco-growing States produced tobacco at a pitifully small price. I have been identified with tobacco all my life. Tobacco is the hardest crop to grow, I think, among all crops, because it is still hand-produced and hand-marketed. There is no machinery used in its production except to a very limited degree. When I was a boy we used to say it took 13 months out of every 12 to grow and market a crop of tobacco. I can recall when burley tobacco, which has been bringing 30, 40, 50, even 60 cents a pound under the program which has been in effect for a number of years, sold at 5 cents a pound.

In my section of the country, where we produce dark-fired tobacco and flue-cured tobacco, those types of tobacco sold at 3 cents a pound. The price has gone to 30 and 35 cents a pound, and the 5-cent tobacco price has gone to 50 or 60 cents a pound. It has enabled our farmers to enjoy a successful program.

Nothing more discouraging or tragic could happen to a tobacco grower, whether he produces flue-cured, dark-fired, or burley tobacco, than to lose the price supports which have maintained him.

Tobacco is very important to the economy of our country and very important to the Treasury of the United States. It has been singled out from other crops for a 90-percent support, not by Executive order, but by law. We all appreciate that, and we had something to do with it.

We have encouraged the enrichment of our soil. We have encouraged all farmers, under a soil-conservation program and other programs, to enrich their soil so as to produce more abundant crops. We have encouraged tobacco growers in all the tobacco-growing States to grow more tobacco on their farms, whether their acreage be seven-tenths of an acre or half an acre, or whether it be 40 or 50 acres. The farmers have increased their production. The increase in production per acre has largely been responsible for the surplus which is now on hand.

Tobacco growers feel that there should be a reduction in the allotment, though there has been a leveling off of the supply on hand in storage, and, as the Senator from North Carolina has said, in the case of burley tobacco, it must be stored and aged at least 2 years. There is practically a 3½ years' supply now on hand.

Shall we say to the small grower, for whom I have great sympathy and whose spokesman I have been in this body and in other bodies for many years, that we will reduce the allotment of the large producers but will permit the small

grower to produce a larger percentage of the total crop and thereby complicate even more the problem which now faces the burley tobacco grower? I think it faces the small grower of tobacco at this moment more particularly than any other type of grower in the United States.

Mr. ERVIN. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. ERVIN. My amendment is for the purpose of preventing anyone from cutting off any of the dog's tail. It is to keep the tail the same length.

Mr. BARKLEY. The Senator from North Carolina provides for one-tenth of an acre under certain circumstances, and then he says that if it does not work satisfactorily in some future year, we will cut off more.

Mr. ERVIN. My amendment provides for the retention of the present minimum. We need not cut off the dog's tail at all. I am in favor of letting the dog keep it. It is the unamended bill which would cut off the dog's tail.

Mr. BARKLEY. But if the situation continues to grow worse in the next few years as it has in the past year or two, the Senator's idea would be to cut off the tail at the end of that period.

But I do not wish to dwell on the dog's tail, because there are better parts of a dog than that.

Mr. CLEMENTS. Mr. President, will my colleague yield for a question?

Mr. BARKLEY. I shall be glad to yield.

Mr. CLEMENTS. Is it not a fact that the adoption of the amendment which would continue the minimum acreage at the figure of seven-tenths would mean that the surplus would be added to this year, and that a small percentage of the growers would be required to take all the cut?

Mr. BARKLEY. That would be true; and we would say to those who now produce more than one-third of the tobacco on the smaller acreage, "Go ahead. Produce all you can. Create a greater surplus." If there is any cut at all, it will be against those who produce more than seven-tenths of an acre. That is a program which I think would not work to the advantage of the small grower.

Mr. CLEMENTS. Is it not a fact that the cut which is proposed by the pending bill will not solve the surplus problem we now have, and that it will take an additional cut in the 1956 crop to bring about a balance?

Mr. BARKLEY. The Senator means that without the amendment of the Senator from North Carolina the bill now pending does not make a sufficient cut to bring about a balance, and there will have to be another cut next year?

Mr. CLEMENTS. Yes.

Mr. BARKLEY. That is correct.

Mr. CLEMENTS. If the cut next year is as large as the Department says is necessary this year, 25 percent, and in the testimony before the subcommittee which heard the matter, the Department of Agriculture stated it would take a 50 percent cut over 2 years to bring about a balance, and if the amendment offered by the Senator from North Caro-

lina were adopted, would it not mean that a small percentage of the growers would take the entire 50 percent?

Mr. BARKLEY. There is no doubt about it. Not only that, but the cuts heretofore made up and down the line have not been made by percentages. They have been made by tenths of an acre. In the case of those who produced tobacco on 1 acre or less the reduction went from 1 acre to nine-tenths of an acre, then to seven-tenths, and now it is proposed to go to a minimum of five-tenths. The difference can hardly be calculated on a percentage basis because it has not worked that way heretofore; whereas the cut from seven-tenths to five-tenths amounts to a larger percentage for those who grow more. It is rather more difficult to work out a cut for the small grower, if there is to be a cut at all, on a percentage basis, than for the larger grower.

Therefore, without taking further time, I hope the amendment offered by our good friend from North Carolina and his colleagues will not be agreed to, and that the bill as reported by the committee will be passed.

Mr. GORE. Mr. President, the tobacco price-support program has been perhaps the most successful part or segment of the entire agricultural price-support program. Up to now, as was said by the distinguished senior Senator from Kentucky [Mr. CLEMENTS], the price-support program with respect to tobacco, not only burley, but also all other types, has not resulted in a loss to the taxpayer; indeed, considerable interest and profit has been returned to the Treasury.

However, particularly in the case of burley tobacco, a very serious situation is faced at this time. There was an overproduction of burley last year, and the production was larger than had been estimated.

More seriously, however, the consumption of tobacco has fallen off within the United States, and the sale of burley tobacco abroad likewise has been reduced. I venture to suggest that unless Congress enacts an enlightened foreign-trade program, our export markets may be further reduced.

The problem before the Senate today is not whether there should be a reduction. The amendment offered by the distinguished senior Senator from North Carolina [Mr. ERVIN] would permit reductions beyond the minimum acreage, which by law is now seven-tenths of an acre. That is, an allotment of seven-tenths of an acre or less, under present law, cannot be reduced. The bill proposes to reduce the legal limit to five-tenths of an acre.

The senior Senator from North Carolina, for himself and other Senators, including the junior Senator from Tennessee, has offered an amendment to retain the seven-tenth-acre allotment. But that does not mean, as the junior Senator from Kentucky [Mr. BARKLEY] seemed to have in mind, that the small growers would take no cut in their allotment for the coming crop year. Indeed, the bulk of those growers last year had an allotment of eight-tenths of an

acre. That has already been reduced to seven-tenths of an acre, which is now the floor.

The bill before the Senate would lower the floor from seven-tenths of an acre to five-tenths of an acre, and would make possible a still further cut.

I reply to the junior Senator from Kentucky by pointing out that he is correct in his statement that the allotments have been in tenths of an acre. But that has worked to the advantage of the small grower, because just now the eight-tenths-acre allotment has been reduced to seven-tenths, which is a 12½-percent reduction. Beyond an acre, the reduction has still been made in tenths, or to the nearest tenth, on a percentage basis, which means that the majority of small growers have already taken a cut from last year's crop, when their acreage allotment was reduced from nine-tenths to eight-tenths. But for this crop year, when the acreage allotment has been reduced from eight-tenths to seven-tenths, there is a percentage cut in excess of that taken by growers having larger acreages.

If the amendment offered by the senior Senator from North Carolina should be adopted, the bill would then provide that the Secretary of Agriculture could wipe out the cuts already proclaimed for this year, and redetermine them. Therefore, under the bill with the amendment offered by the senior Senator from North Carolina, the Secretary of Agriculture could reduce the eight-tenths-acre allotments 12½ percent. He could determine to reduce the larger acreages by 15 percent.

But someone might say it would be unfair to cut the larger growers 15 percent, while cutting the small growers by only 12½ percent. Perhaps that would constitute an element of unfairness. But where is fairness to be found in the cuts already applied, which reduce the small grower by a larger percentage than the larger growers are reduced?

We have minimums in our economy and in our laws. I point out to the distinguished junior Senator from Michigan [Mr. McNAMARA] that a minimum-wage law is on the books. I supported it, and I expect to support an increase in the minimum wage. Perhaps it will not be so great an increase as the distinguished Senator from Michigan would suggest, but perhaps we might compromise on a figure.

In this instance it is proposed not to increase a minimum, but to reduce a minimum. What has contributed to the philosophy behind minimums? The purpose is to provide a minimum below which we believe a family cannot have a decent American living. Why is there a minimum cotton acreage? In order to save the small grower from being driven from his farm. Why is there a minimum in burley tobacco allotments? It is simply in order to permit the small hillside or mountainside farmer to maintain his home and his farm.

It is not easy or pleasant to propose that one group of growers should have a larger percentage representation than others have. But I believe there are minimums below which we should not

go—in wages, in the salaries of Government employees, in cotton production, in tobacco production.

Tobacco acreage allotments involve financial problems for thousands of very small farm homesteads. What the senior Senator from North Carolina, I, and other Senators who have associated themselves with the amendment seek is the maintenance of homesteads, farmsteads, and to enable those who occupy them to remain on their farms and make a living.

Seven-tenths of an acre. That is a small plot on which the Government of the United States is asked to permit a farmer and his wife and children to toil with their hands to eke out a living. I know that others who have larger acreages will have reductions. I am one of them. But those with larger acreages can turn to something else if reductions must be made. Those with larger acreages would be less affected by a reduction in their allotments than would a farmer with a few acres on a hillside. To him it is the difference between maintaining his homestead and being forced to leave it.

Therefore, I hope the amendment will be adopted. I wish to make it plain that I expect to support the bill even if the amendment is not adopted. The tobacco farmers and their representatives have said that they are willing to have production controlled and limited so as to keep tobacco within the proximity of demand. In recognition of that, the Congress has treated the tobacco farmers more advantageously than it has any other group. Tobacco alone has a rigid 90-percent price support. That we must maintain. That we can maintain. But some reduction in production is absolutely necessary. I believe, however, that a 12½-percent reduction in the production of tobacco for the farmers with less than an acre is sufficient within a year.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CLEMENTS. Is it not a fact that the 12½-percent figure the Senator has mentioned is based on an administrative decision of the Department of Agriculture, and the manner in which it handles its tolerances?

Mr. GORE. If that be true, it is effective, nevertheless.

Mr. CLEMENTS. I desired the Record to show that it was not in the law; that it was a matter of administration.

Mr. GORE. Yes.

Mr. CLEMENTS. Will the Senator yield further?

Mr. GORE. Yes; I yield.

Mr. CLEMENTS. The Senator has made reference to the fact that farms of five-tenths of an acre do not provide a living for many persons. Is it not a fact that more than 100,000 of the burley growers' allotments today are five-tenths of an acre or less?

Mr. GORE. Yes.

Mr. CLEMENTS. Is it not a fact that today a third of all the growers who are under the five-tenths of an acre allotment will not be affected by the proposed legislation either this year or

next year, or any other year, so long as the legislation is on the books?

Mr. GORE. The bill does not provide any reduction for those persons.

Mr. CLEMENTS. So a third of the burley growers now are under an allotment of five-tenths of an acre or less, and they at least have a financial interest, and evidently their present acreage is contributing to their livelihood.

Mr. GORE. I have no reason to question the figures which the distinguished senior Senator from Kentucky has given. I wish to point out two things. One is the allotments above the minimums now about 70 percent of the tobacco. So in order to make a reduction that is effective, it is not absolutely necessary to reduce the minimum by more than 12½ percent. If the minimums should be reduced by 12½ percent and the others by 15 percent, I believe we might bring the production within reasonable proximity to demand.

I wish to verify what the Senator has said, and also what his colleague, the now junior Senator from Kentucky [Mr. BARKLEY], has said, that the administrative decision is to reduce to the nearest tenth. But the small farmer cannot be blamed for that. The fact stands that for the second year this administrative decision has resulted to his disadvantage. The large grower has taken a 10 percent cut each year, but the small grower has taken more than a 10 percent cut for each year for the past 2 years.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BARKLEY. I wonder if the Senator from Tennessee or any other Senator can give the proportion of those growing burley tobacco who do not rely upon it as their main source of support, but who grow it as a sort of sideline. It does not take long to produce an acre of tobacco, nor does it take very much labor.

It can be produced in the garden or, if one's back yard is large enough, in the back yard. Such tobacco can be produced and cultivated after working hours, if one is engaged in another profession or calling. Does the Senator know the percentage of those who produce tobacco on less than an acre who have other occupations, and raise the tobacco as a sideline, to supplement their incomes, and not as their main source of income?

Mr. GORE. I do not have the exact figure, so I cannot answer the Senator. I would say to him I am not pleading for any part-time farmer. The bill contains a provision, which I do not resist, to permit reduction of town lots to the extent of 25 percent of the acreage. That, I believe, is going a long way toward reducing the number of part-time farmers. What I am pleading for is the preservation of a minimum for the homestead owner who makes, or ekes out, I should say, his living from a few acres of soil.

Mr. BARKLEY. Even in that case farmers with less than 1 acre of tobacco frequently raise other crops. They may raise corn or wheat, or have orchards. Orchards can be grown in that part of the country. So that if a man had a

family and he had only seven-tenths of an acre of tobacco, it would require only a portion of the time of one single human being in that family to produce less than 1 acre of tobacco. There must be other occupations in which such farmers engage at least a part of the time, so that they do not have to rely on the seven-tenths of an acre to support their families, without the assistance of any other crop. I myself do not know what proportion such growers represent, but it must be considerable.

Mr. GORE. It may be more considerable in the State so ably represented in part by the Senator from Kentucky.

Mr. BARKLEY. If I may say so, a large part of that production has been induced by the very program we are seeking to preserve.

Mr. GORE. Undoubtedly there are farmers who have other crops, but not many farmers in Tennessee, with a few acres on a hillside, can go into wheat production. It costs too much to own a binder or a combine. Not many farmers with a few acres on a hillside can grow very much corn. In an area with heavy precipitation, his soil would soon be gone. Tobacco is a cash crop, and just as we need minimum wages, just as we need minimum cotton acreage allotments, I think we need minimum acreage in tobacco allotments, which should be overall, instead of having a reduction in the production of burley tobacco only.

I contend, however, that it is socially better, or at least fairer to reduce the allotments of the larger growers by 15 percent, and reduce the allotments of the small growers by 12½ percent, rather than to reduce the allotments of the larger growers by 10 percent and reduce the allotments of the small growers by 12½ percent. If there is to be a 2½ percent difference, I believe the advantage should be on the side of the homestead owners.

Mr. CLEMENTS. Mr. President, will the Senator from Tennessee yield?

The PRESIDING OFFICER (Mr. JACKSON in the chair). Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. GORE. I yield.

Mr. CLEMENTS. I am sure the Senator from Tennessee does not desire to leave with this body the impression that this measure or any other legislation on this subject contains any provision which would make it mandatory for the Department to do anything other than distribute the acreage equally.

Mr. GORE. I have not sought to leave any impression other than whatever the facts of the case warrant.

Mr. CLEMENTS. If it has happened, it has been by administrative decision in the Department, rather than by legislation now on the statute books, has it not?

Mr. GORE. The Senator from Kentucky uses the words "if it has happened." Does not the Senator from Kentucky think it has happened?

Mr. CLEMENTS. Mr. President, I would say to the Senator from Tennessee, that because of administrative rulings, it is possible that the allotments of some of the growers have been affected more than 10 percent, when there was a general 10 percent reduction.

Mr. GORE. I thank the Senator from Kentucky. Does not that apply to all growers whose allotments were reduced from eight-tenths of an acre to seven-tenths?

Mr. CLEMENTS. I would say that is correct, under the administrative ruling.

Let me say further to the Senator from Tennessee that, in my opinion, the proper way to handle the matter would be to make the determination on the basis of one-hundredths rather than one-tenths. If that were done, the manner in which the tolerance is handled in the Department would not affect adversely or jeopardize any grower.

I will join the Senator from Tennessee in urging the Department to put it on that basis.

Mr. GORE. Surely we should handle it on a basis by means of which at least the small grower would be treated fairly.

Let us make perfectly plain what has happened: Originally there was a minimum of 1 acre. It was reduced to nine-tenths of an acre. Then the legal minimum was fixed at seven-tenths of an acre, although that did not mean the allotments were reduced to seven-tenths. We fixed the floor at seven-tenths of an acre. Then the bulk of the farmers who had allotments of nine-tenths of an acre had their allotments reduced, in the ensuing year, by one-tenth, or 10 percent. The administrative decision was to make the cuts to the nearest tenth, which meant that the bulk of the tobacco farmers had their allotments reduced from nine-tenths to eight-tenths of an acre.

For this year's crop, the Secretary of Agriculture proclaimed a reduction of another 10 percent in the acreage allotments. To a grower who had 4 acres, that meant a reduction of four-tenths of an acre; but to the large number of farmers with minimum allotments, whose allotments last year were eight-tenths of an acre, that meant their allotments would be reduced to seven-tenths of an acre, or a reduction of 12½ percent. I think the able senior Senator from Kentucky will agree with that statement of fact.

Mr. CLEMENTS. I will agree that the Department of Agriculture made that ruling, and handled it in that way, administratively.

Mr. GORE. I thank the Senator from Kentucky. Of course, I know he had no intention of having the small growers treated unfairly.

Mr. CLEMENTS. Neither do I now have any desire to have the small growers treated unfairly.

Mr. GORE. I certainly acknowledge that.

Mr. President, I wish to say that it is with the deepest of regret that I find myself in disagreement with the Senator from Kentucky and with other Senators who represent tobacco-growing areas. This is my first disagreement on tobacco legislation in the handling of which I have participated, with other Members of Congress representing tobacco-growing areas in my 17 years in the Congress; and I regret it deeply.

But I think we must recognize that there are limits and minimums below

which we should not go, and I believe a seven-tenths of an acre allotment is one of them.

Therefore, Mr. President, I suggest that it would be the course of fairness, justice, and, I hope, wisdom to support the amendment offered by the senior Senator from North Carolina.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from North Carolina [Mr. ERVIN] for himself and other Senators. [Putting the question.]

The "noes" seem to have it.

Mr. ERVIN. Mr. President, I call for a division.

On a division, the amendments were rejected.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ERVIN. Mr. President, I submit and send to the desk another amendment, in behalf of the same principle as that of the first amendment.

The PRESIDING OFFICER. The amendment submitted by the Senator from North Carolina will be stated.

The CHIEF CLERK. On page 2, it is proposed to strike out lines 12 to 18, inclusive, and to insert:

(2) No burley tobacco farm acreage allotment of six-tenths of an acre or less shall be reduced under this act.

On page 3, it is proposed to strike out the colon in line 17 and the ensuing words in lines 17 to 19, inclusive, and to insert:

Provided, however, That no allotment of six-tenths of an acre or less shall be reduced more than one-tenth of an acre in any 1 year.

On page 3, it is proposed to strike out the words "five-tenths" in line 16, and to insert in lieu thereof the words "six-tenths."

Mr. ERVIN. Mr. President, the effect of this amendment is to make a minimum of six-tenths of an acre, instead of a minimum of seven-tenths of an acre, as under the first amendment, or instead of a minimum of five-tenths of an acre, as in the bill. I submit the amendment in order to afford an opportunity of repentance for Senators who did not vote for the first amendment; this is done in order that they may vote to do just half as much injury to the small burley tobacco grower as they otherwise would be voting to do.

Mr. CLEMENTS. Mr. President, I should like to make a brief statement: Every argument which was valid against the other amendment is valid against this one. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN].

Mr. GORE. Mr. President, in response to the statement of the senior Senator from Kentucky has made—and undoubtedly he was entirely sincere in making it—I wish to offer this additional thought:

Under the provisions of the pending bill the largest percentage reduction that can be made in any acreage is 25 percent. The amendment offered by the senior Senator from North Carolina

would permit a 25-percent reduction in the acreage allotment of the minimum acreage this year. Last year it was eight-tenths. The senior Senator from North Carolina now proposes that it be made six-tenths. That would permit a 25-percent reduction. That is the largest reduction provided in the bill for any acreage allotment.

I read from page 2, line 9, of the bill: "Shall not be reduced by more than 25 percent."

That applies to all allotments. The amendment of the senior Senator from North Carolina would bring the minimum acreage in line with that figure.

Why do we need to reduce the minimum to a greater extent than the reduction provided in the pending bill for this year? Will the senior Senator from Kentucky explain why it is necessary to reduce the minimum to five-tenths of an acre when the maximum reduction under the bill would be to six-tenths of an acre?

Mr. CLEMENTS. Mr. President, the whole philosophy behind the bill is to assure the sharing of the cuts among a greater number of growers. When the allotment is reduced to five-tenths, the result will be a sharing among a greater number of growers of the reduction in acreage which will be necessary this year and next year.

Mr. GORE. Then, with this five-tenths minimum, the Senator is preparing for next year rather than providing the necessary cuts for this year.

Mr. CLEMENTS. It would not only provide for next year, but it would provide for any year. If within a year or 2 years there should be an increase in the acreage allotment, this provision would still be on the books. When necessary, all, or a greater number of the growers, could share any cut which might be considered sound and wise.

Mr. GORE. Will not the Senator agree that the maximum cut which can be made under this bill is 25 percent?

Mr. CLEMENTS. That is correct.

Mr. GORE. For the part-time farmer, for the large farmer, or for the minimum acreage allotment?

Mr. CLEMENTS. It would be not to exceed 25 percent for all those above a certain base.

Mr. GORE. Then, if the amendment of the senior Senator from North Carolina should be adopted, the bill would still permit a 25-percent reduction in acreage for all growers.

Mr. CLEMENTS. No; it would not.

Mr. GORE. For all the minimum growers, who have an allotment of eight-tenths of an acre.

Mr. CLEMENTS. For all growers who have an allotment of eight-tenths. My interpretation—and, I understand, the interpretation of the Department of Agriculture—is that it would permit a 25-percent cut.

Mr. GORE. Then the only purpose of reducing the minimum to five-tenths of an acre instead of six-tenths is to provide for a further reduction in acreage of the growers with minimum allotments for next year or a succeeding year.

Mr. CLEMENTS. If that should become necessary; yes.

Mr. GORE. I suggest that no case whatsoever has been made for the reduction of the minimum down to five-tenths of an acre. The maximum extent to which the minimum can be reduced this year, under the terms of the bill, would be six-tenths; and there is no need to enact legislation further than that, because the entire question will be before the Congress again next year.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 4951) was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

REDUCED COTTON ACREAGE ALLOTMENTS

Mr. STENNIS. Mr. President, I did not offer an amendment to the pending bill to take care of another agricultural problem which is very grave. The tobacco bill was prepared and has made its way through legislative channels, and I would not offer an amendment which would in any way jeopardize its passage. However, I wish to detain the Senate for a few minutes to call particular attention to a problem in my area of the country which has been made much more acute than it was a week ago, when the cotton acreage allotment bill was debated on the floor of the Senate.

A serious though unintentional wrong has been done to a great many of the small cotton growers in the Cotton Belt. I say unintentional because I know that no Senator was intentionally doing anything wrong.

Last year Congress enacted a law which permitted the acreage allotments of the very small growers to be greatly reduced; and because of the power which was given in that bill various State committees and county committees operated in such a way as to increase the number of cases which represent great distress. There was no way to administer the program without creating a great number of such cases. However, more of the smaller growers were left out than would have been the case if the law had not been changed. The program was administered by the Department of Agriculture under the law enacted last year.

I do not say that the Department had any knowledge of this procedure at the time the hardships were created. But at least it did not do anything about the situation after learning what had happened. The Department has not recommended any relief bill of any kind with respect to the hardship cotton cases. Some of the officials of the Department have been very cooperative in obtaining the facts, and very sympathetic in trying to help bring about a remedy, but the Department itself has not recommended any bill to the Congress which would meet the situation.

The House committee and the House of Representatives went into the subject and recommended a bill. The Senate committee considered the subject and recommended a bill. It had its day on the floor of the Senate, but did not pass.

I am not complaining about that, or imputing any wrong motives to anyone. I thank Senators for the attention they gave to the subject. But the hardship cases remained. They have not been remedied. As I say, they have been made more acute.

I wish to recite very briefly how serious the situation is in some areas. The Department of Agriculture has estimated that in my State more than 55,000 tenants will be displaced in the Cotton Belt because of reductions in cotton acreage allotments this year. The displacements in Mississippi alone will be in excess of 11,000, representing one-fifth of the total displacements throughout the entire Cotton Belt, extending from the Atlantic to the Pacific. This number is concentrated in one State.

Under the Senate committee bill it would take only 28,000 acres to bring some measure of relief to 32,000 farmers. I repeat, only 28,000 acres would bring some measure of relief to more than 32,000 farmers, Mr. President. In my own home county in east-central Mississippi, near the Alabama line, more than 300 tenant farmers have been displaced.

This figure does not give the complete picture, because it refers only to tenants. There are many small farmers who will be drastically affected by the reduction. It is estimated that in my home county more than 500 small farmers of 5 acres or less will have their income reduced by more than \$100 because of the reduction in the cotton acreage.

In that same county there are about 1,584 cotton farmers, and almost 50 percent of them, or 760, would be benefited in some way from the small increase of providing for 4 acres, or 75 percent of the highest planted acreage.

I recite those figures to show how acute the problem is and how distressing it is.

On top of it all has come the most severe freeze experienced in that section of the South in 75 years. It has wiped out almost the entire peach crop, the bean crop, and the tomato crop; it has totally wiped out the tung-nut crop; it has wiped out the pecan and a number of other crops that go to fill in the agricultural picture. These combined facts will cause the people to leave the land. That is what makes it a national problem. It puts them on the road, so to speak. It puts the tenants off the lands and it takes the homeowner, the landowner, off his farm. That is so because he does not have enough of a minimum crop to justify his staying on the land. It eventually puts him in the relief line.

I submit those are the people who represent some of the very finest American virtues in the way of family life, community life, and also represent what have been sound economic units.

We are certainly getting a great deal of sympathy, Mr. President, but no remedy for our situation. The American Farm Bureau appeared before the Senate

committee in opposition to the cotton bill. They admitted the problem existed, they admitted something should be done about it next year, but they opposed anything being done about it this year. This is another illustration of what the little man is up against.

Congress, and the Senate in particular, is failing to rise to the actual facts of the case and failing to try to provide a remedy.

Mr. President, I make a prediction. Because of this distressing situation, within a few weeks, but too late to plant any cotton, Congress will be passing legislation to appropriate money to help take care of these same people who, through our changing of the law, through a lack of proper administration of the law, and because of the failure to give proper heed to their plea, are now faced with the distressing situation I have spoken about. We are contributing to the creation of that situation. Nature is making its own additional contribution.

Within a few weeks there will be pleas made for relief funds, through the Farmers' Home Administration, or through some other agency.

Even at this late date I want to place on the conscience of the Senate the fact that we have not yet thoroughly and fully considered the problem, and we have not yet risen to the occasion of wrestling with the problem and providing a remedy, not through a relief measure, not through some token relief, but through an avenue or channel that will permit these people to help themselves. We are failing to give them some method whereby they can help themselves on their own land through their own methods and through the sound processes of our economy. A small cotton acreage bill will do it.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Texas.

Mr. DANIEL. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Mississippi. I congratulate him on the splendid efforts he has made during this session of Congress to give some relief with respect to cotton allotments to the small family-size farm. I believe his figures will show that in the State of Texas there are more than 18,000 farms on which the cotton allotment has been cut below 5 acres. Is that correct?

Mr. STENNIS. The Senator is correct.

Mr. DANIEL. In the eastern section of Texas there are many small family-size farms. We know the difficulties the small farmers in Mississippi face. The Senator from Mississippi has been trying, ever since the Senate defeated legislation on this subject, to revive a bill dealing with it. Even at this late date he has come forward with a proposal which would increase in a small way the allotments for the small family-size farms. Is that correct?

Mr. STENNIS. That is correct; along with other Senators, including the Senator from Texas, we have been trying to perfect a bill which could be presented to the Senate, because of the undue dis-

stress conditions which have resulted from the severe freeze.

Mr. DANIEL. I commend the Senator for his continued efforts.

Mr. STENNIS. I thank the Senator very much for his kind remarks and for his helpfulness on the program.

Mr. GORE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. GORE. I wish to associate myself fully with the remarks of the able junior Senator from Mississippi. Just as earlier I pleaded for a minimum acreage allotment for tobacco farmers, I believe it is necessary to have a minimum acreage allotment for cotton farmers.

We had such a minimum before the Agricultural Act of 1954 went into effect. I did not vote for that act. The act should have retained minimum acreage allotments. I shall join the Senator from Mississippi in proposing such an amendment, not only for the current crop year, but as a part of permanent agricultural legislation.

I join the junior Senator from Texas in the high compliments he paid the junior Senator from Mississippi for his untiring efforts in connection with this endeavor. I hope that even at this late date something can be done. There is no necessity for increasing the cotton production as a national program, but there is urgent need to provide minimum allotments for the very hard-pressed small farmers.

Mr. STENNIS. I thank the Senator from Tennessee very much for his remarks and for his fine contribution to the solution of the problem. The Senator from Tennessee referred to a measure he would be willing to cosponsor, and I wish especially to thank him for his offer. We will certainly join in the sponsorship of a bill which will restore to the law a provision which has always been in the cotton law since 1938, until it was changed last year. Under the provisions of the 1938 act, the small cotton farmers were able to hold their heads above water, because we provided a floor below which the reductions in acreage could not go.

Last year, I think without deliberation, we struck that provision from the law whereby it would be mandatory to make such allotments, and in the very first year, in some States, the farmer was wrecked. We are not meeting the situation by supplying a remedy to take care of him this year.

I shall be glad to join the Senator from Tennessee in introducing such a measure. My colleague and I have introduced a bill to create a national reserve of at least 1 percent of the total national acreage to be placed in the hands of the Secretary of Agriculture in order to take care of some of the distress cases. Something must be done; otherwise the farmers will be run off the lands which their families have owned for many years.

Mr. GORE. Mr. President, with the Senator's encouragement I shall draft such an amendment to be proposed tomorrow, and I shall be happy to place his name upon it as a cosponsor.

I wonder if the Senator can see any basic social distinction between a mini-

mum acreage for a cotton farmer and a minimum wage for an industrial worker.

Mr. STENNIS. They are certainly related. I am not speaking of a guaranteed wage. The farmers of Mississippi do not want anyone to guarantee them anything. They have a cotton loan which has enabled them to get a better price. The cotton program has not cost the American taxpayers one penny. With respect to tobacco they are running ahead. They have made something like \$250 million profit on cotton so far; and that which is now in storage is one of the best assets we have in our stockpiling program.

Mr. ANDERSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I shall be happy to yield.

Mr. ANDERSON. I should like to suggest to the Senator, if he is interested in checking the history of cotton legislation, that I attempted to include a 1-percent reserve. I am sure he would be interested in knowing who it was who made the motion to strike and succeeded in striking it from my bill. I should be happy to have the recommendations of the Senator from Mississippi. They should be made a part of the permanent legislation on the subject.

Mr. STENNIS. Only a few years ago a recommendation was made along that line by a representative of the Farm Bureau. The representative of the Farm Bureau recognized the problem which exists this year, and said legislation should be introduced with reference to it, but he was not willing to join in a little remedy to meet the distressing situation. It will be too late next year to take care of many of the people who are being driven from their land this year, because they will never go back.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H. R. 4951) was passed.

The PRESIDING OFFICER. House bill 4951, which was just passed, contains the provisions embodied in Senate bills 1325, 1326, 1327, and 1457, which, respectively, are Calendar Nos. 107, 108, 109, and 111. Therefore, without objection, the Senate bills referred to will be indefinitely postponed.

PRESERVATION OF TOBACCO ACREAGE HISTORY OF FARMS VOLUNTARILY WITHDRAWN FROM PRODUCTION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 110, Senate bill 1436.

The PRESIDING OFFICER. The clerk will state the bill by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 1436) to preserve the tobacco acreage history of farms which voluntarily withdraw from the production of tobacco, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for

a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 313 (g) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1313 (g)) is amended by adding at the end thereof the following: "For the purposes of this section, on any farm—

"(1) which was entitled to an acreage allotment for the crop year 1955, and

"(2) on which no tobacco is produced for one or more crop years subsequent to 1954, there shall be deemed to have been planted in tobacco in such year or years in which no tobacco was produced an acreage equal to the entire allotment for such farm for such year or years."

SEC. 2. Section 313 of such act is further amended by adding at the end thereof a new subsection as follows:

"(j) In any case in which the amount of acreage available in any crop year for allotment among farms exceeds the amount available for such purpose for the preceding year, such excess shall be distributed to farms the acreage allotments for which—

"(1) were decreased in any prior year, and
"(2) are lower than the highest acreage allotments for such farms for any prior year, before any of such excess may be distributed to any farm the acreage allotment for which is not less than its highest acreage allotment for any prior year."

AMENDMENT OF FOREIGN SERVICE ACT OF 1946, AS AMENDED

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 4941.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4941) to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. BRIDGES. Mr. President, reserving the right to object, may I inquire what the bill involves.

Mr. JOHNSON of Texas. The bill, which was reported unanimously by the Foreign Relations Committee, affects some Foreign Service personnel. The distinguished Senator from Montana [Mr. MANSFIELD] is familiar with it. I have discussed it with the distinguished minority leader, who is a member of the committee which reported the bill unanimously. If the Senator from New Hampshire desires an explanation, I am sure the Senator from Montana will be glad to oblige him. The minority leader has stated that there is no opposition to the bill.

Mr. MANSFIELD. The present law expires on March 31 and it is necessary that this bill be passed in order to continue the recommendations made last year.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the bill (H. R. 4941) was considered, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4259) to provide a 1-year extension of the existing corporate normal-tax rate and of certain existing excise-tax rates, and to provide a \$20 credit against the individual income tax for each personal exemption.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 465. An act for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford; and H. R. 4259. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates.

EASTER RECESS

Mr. JOHNSON of Texas. Mr. President, there is a House concurrent resolution at the desk.

The PRESIDING OFFICER. The Chair lays before the Senate a House concurrent resolution, which will be stated.

The Chief Clerk read the resolution (H. Con. Res. 103), as follows:

Resolved by the House of Representatives (the Senate concurring). That when the two Houses adjourn on Monday, April 4, 1955, they stand adjourned until 12 o'clock meridian, Wednesday, April 13, 1955.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the resolution was considered and agreed to.

ORDER FOR RECESS TO FRIDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10 o'clock a. m., on Friday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON FOREIGN RELATIONS TO MAKE REPORT DURING RECESS OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Foreign Relations may have authority to report the Paris Accord, notwithstanding the fact that the Senate will not be in session tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPLY TO WHITE HOUSE ON COLUMBIA RIVER POWER

Mr. NEUBERGER. Mr. President. The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. ANDERSON. Mr. President, I thought I had the floor and had yielded to the majority leader. But I do not press the point.

The PRESIDING OFFICER. The Chair had not recognized the Senator from New Mexico.

The Senator from Oregon may proceed.

Mr. NEUBERGER. Mr. President, in my opinion, the President of the United States is entitled to receive from his subordinates the correct information on great issues which affect the welfare of our country.

I fear that President Eisenhower is not receiving accurate information with respect to the great power projects built under his predecessors in office—and which are needed in abundance in the future—if the Nation and particularly the Western States are to continue to make progress.

At his press conference on March 17, 1955, the President referred to Government power undertakings. He said: "When the Federal Government does this, they can print money to do the job. Nobody else can and there is a very great difference; because the second that the Federal Government starts to print money to do these things, they are taking one cent, or at least their proportion out of every dollar that any of you might happen to have in your pockets."

"Now," continued the President, "that has the effect of cheapening money and I don't think we ought to go into that."

Thus the President apparently assumes that Federal power projects are a financial loss to the taxpayers—that they require the printing of money, and that they take money out of our pockets.

It would be difficult to state a more fundamental misunderstanding of the financial position of our great Federal hydroelectric projects.

Perhaps all the President meant by the comment I have quoted—it is, after all, not very clear—was that the use of Federal funds for the construction of these great projects would have an inflationary impact and thus "cheapen money." But if that is what was meant, the President obviously fails to distinguish between nonproductive expenditures and expenditures for productive assets which help to expand the economy.

NORTHWEST POWER PAYS FOR ITSELF

Inflation occurs when available money and credit outstrip available goods and services. Government expenditures beyond Government revenue collections may indeed contribute to inflation—when they go into things which do not add to the gross national product. Thus Federal outlays for our armed services—however necessary—may become inflationary when not matched by taxes, and so may Federal public works of a non-productive nature.

The opposite is true, however, of hydroelectric projects which add to our economy hundreds of thousands of kilowatts of new electric energy at the lowest possible price. The development of our energy resources is the very root of the continuing expansion of our economy—energy resources is the very root of the

Public Law 21 - 84th Congress

Chapter 21 - 1st Session

H. R. 4951

AN ACT

Directing a redetermination of the national marketing quota for burley tobacco for the 1955-1956 marketing year, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law—

Burley tobacco.

(1) The Secretary of Agriculture shall, within ten days after enactment of this Act, redetermine the national marketing quota for burley tobacco for the 1955-1956 marketing year on the basis of the latest available statistics of the Federal Government, apportion such quota among States, convert the State quotas to State acreage allotments, and allot the same among farms pursuant to and in accordance with applicable provisions of law: *Provided*, That burley tobacco marketing quotas and acreage allotments heretofore established for the 1955-1956 marketing year shall not be effective, but the preliminary burley tobacco acreage allotment for any farm determined under section 725.616 of the burley and flue-cured tobacco marketing quota regulations, 1955-1956 marketing year, issued by the Secretary of Agriculture (19 Federal Register 3549), shall not be reduced by more than 25 per centum (except for reductions under section 725.619 of said regulations);

Redetermination
of marketing
quota.

(2) Burley tobacco farm acreage allotments of seven-tenths of an acre or less heretofore determined for the 1955-1956 marketing year when redetermined pursuant to paragraph (1) of this Act may be reduced but not more than one-tenth acre: *Provided, however*, That no allotment of five-tenths of an acre or less shall be reduced under this section;

(3) Within twenty days after the issuance of the proclamation of the national marketing quota for burley tobacco for the 1955-1956 marketing year as redetermined pursuant to paragraph (1) of this Act, the Secretary of Agriculture shall conduct a referendum of farmers who were engaged in the production of the 1954 crop of burley tobacco to determine whether such farmers are in favor of or opposed to such redetermined quota. If more than one-third of the farmers voting in the referendum oppose such redetermined quota, the Secretary of Agriculture shall, within thirty days after the date of the referendum, proclaim the result of the referendum and (1) no quota for burley tobacco for the 1955-1956 marketing year shall be effective thereafter, and (2) no price support shall be made available on the 1955 crop of burley tobacco.

Referendum.

69 Stat. 23.
69 Stat. 24.

SEC. 2. Public Law 528, Eighty-second Congress (66 Stat. 597), is hereby amended, effective for the 1956 and subsequent crops of burley tobacco, to read as follows: "The farm acreage allotment for burley tobacco for any year shall not be less than the smallest of (1) the allotment established for the farm for the immediately preceding year, (2) five-tenths of an acre, or (3) 10 per centum of the cropland: *Provided, however*, That no allotment of seven-tenths of an acre or less shall be reduced more than one-tenth of an acre in any one year. The additional acreage required under this Act shall be in addition to the State acreage allotments and the production on such acreage shall be in addition to the national marketing quota."

7 USC 1315.

Acreage
allotments.

SEC. 3. Section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding immediately after the first sentence thereof a new sentence to read as follows: "Any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955, or any subsequent crop shall not be taken into account in establishing State and farm acreage allotments."

Excess harvest.
53 Stat. 1261.
7 USC 1313.

All 69 Stat. 24.

7 USC 1313.

False report.

SEC. 4. The last sentence of section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding in the last sentence thereof immediately following the language "if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary" the language "or if any producer on the farm files, or aids or acquiesces in the filing of, any false report with respect to the acreage of tobacco grown on the farm required by regulations issued pursuant to this Act".

68 Stat. 270.

7 USC 1314.

SEC. 5. Section 314 (a) of the Agricultural Adjustment Act of 1938, as amended, is hereby amended, effective July 1, 1955, with respect to flue-cured tobacco, and October 1, 1955, with respect to other kinds of tobacco, by striking out the figure "50" therein and inserting in lieu thereof the figure "75".

Approved March 31, 1955.